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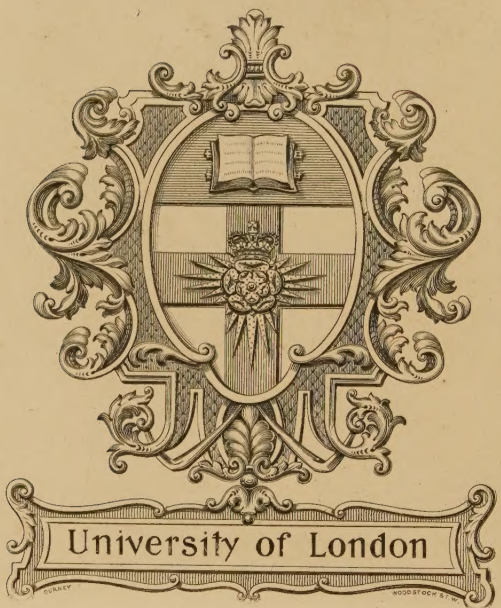

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HANSARD'S

PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

53 & 54 VICTORIÆ, 1890.

VOL. CCCXLVI.

COMPRISING THE PERIOD FROM

THE TWENTY-SIXTH DAY OF JUNE, 1890,

TO

THE SIXTEENTH DAY OF JULY, 1890.

Sixth Volume of the Session.

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HANSARD'S PARLIAMENTARY DEBATES.

IN THE

Fifth Session OF THE *Twenty-Fourth Parliament* OF THE UNITED KINGDOM OF *Great Britain* AND *Ireland*, APPOINTED TO MEET 5 AUGUST, 1886, IN THE FIFTIETH YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

SIXTH VOLUME OF SESSION 1890.

HOUSE OF LORDS,

Thursday, 26th June, 1890.

ANGLESEY ASSIZES AND QUARTER SESSIONS BILL.—(No. 125.)

SECOND READING.

Order of the Day for the Second Reading read.

*Lord KENSINGTON: My Lords, I rise to ask your Lordships to give a Second Reading to this Bill, which has passed the other House of Parliament, and to explain in a very few sentences the object of the Bill. It is to repeal a very old Act of Edward VI. In consequence of the Act, great doubt seems to have arisen in the Island of Anglesey as to whether Quarter Sessions for that county can be held in any other place except the Town of Beaumaris. Beaumaris may have been a very convenient place at the time the Act was passed, in the reign of Edward VI., but as I am informed it is very inconvenient now. It is quite in a corner of the Island, there is no railway in connection with it, and all parties interested are unanimously in favour of getting the power which other places have of choosing the place where the Quarter Sessions shall be held. As I am informed, the Grand Jury have on more than one occasion made presentments to that effect; the County Council have unanimously passed a Resolution in favour of the repeal of the Act; and at Quarter Sessions, though there was a division of opinion, the majority was three to one—the figures being 12 to 4 in favour of the repeal of the Act. The promoters of the Bill, and those in that county who support it, ask for nothing more than to be put in the same position as other counties, namely, that they should be able to choose the place which is most convenient for holding those Courts. I beg to move the Second Reading of the Bill. As there is no detail in it at all, if your Lordships have no objection, I will move that it be referred to a Committee of the whole House.

Bill read 2ª (according to order), and committed to a Committee of the whole House on Monday next.

INFECTIOUS DISEASE (PREVENTION) BILL.—(No. 117.)

SECOND READING.

Order of the Day for the Second Reading read.

LORD LAMINGTON: My Lords, I beg to ask your Lordships to give your assent to the Second Reading of this Bill, which bears the distinction of having passed the other House of Parliament. It is practically a compilation of various clauses of other local Acts, such as the Newport, Grimsby, and Stockton Acts of 1889, and it has further been approved by the Select Committee on Police and Sanitary Regulations of the other House. Also there are certain provisions of this Bill which have been recommended by the Special Report of the Committee of 1887 to be compiled in one general measure. Following the precedent of the Infectious Diseases Notification Act of 1889, this Bill is proposed to be compulsory only for London, and in other parts of the country to be adopted at the will of the Urban or Rural Sanitary Authorities of districts. It may be considered a sequel or corollary of the Infectious Diseases Notification Act of last year, and it may be argued, from the way in which that Act has been received throughout the country, that there is every likelihood, if this measure be passed into law, that it will be equally well received. With regard to that Act, out of 25,000,000 people who could possibly be affected by it, it has already been put into operation in districts having a population of over 20,000,000 people. With reference to the particular clauses of the Bill, Clause 3 states that in London it will be compulsory, and in other places it will be adopted voluntarily by the Local Authorities. Clause 5 states that the Local Authority may disinfect houses at their own cost, and at the same time they are bound to give compensation for any damage they may do in disinfecting those houses. Clause 6 provides that anybody who fails to give notice to an incoming tenant of rooms where there has been a case of infectious disease within six weeks previously is liable to a fine, or else he must have a certificate from the medical authority that the room or rooms have been properly disinfected. Clauses 7 to 10 have to do with the removal and burial of the bodies of those who die of infectious diseases, and Clause 11 allows the Local Authority to make payments to any hospital where it is necessary to keep a person who is suffering from any infectious disease. Clause 13 is a provision of a somewhat similar nature, by which any Local Authority which has compelled any person or persons to quit a house owing to there having been infectious disease there, is to find them accommodation elsewhere. Clause 19 gives power to the Local Authorities when they have to put in force the provisions of this Bill if it becomes law to act upon any part or parts or the whole of the Act. I may say in support of the Bill that it has been with the Amendments approved in the other House, and it is generally approved of by the Central and Associated Chambers of Commerce, by those connected with the Board of Trade, and also that a great number of Petitions have been received both from individuals and from Corporate Bodies, and have been sent in to both Houses. I think I have said enough in support of the Bill, and I hope your Lordships will now give your favourable consideration to it, and allow it to be read a second time.

Moved, "That the Bill be now read 2ª." —(*Lord Lamington.*)

*THE PAYMASTER GENERAL (The Earl of JERSEY): My Lords, after the clear statement of the object of this Bill which my noble Friend has just given it is not necessary for me to detain your Lordships. I need only say that the Bill has the concurrence of the Local Government Board, and though there are some small Amendments which will have to be inserted in it, they are not Amendments dealing with the principle of the Bill. This Bill enables all Local Authorities without special Acts to obtain the advantage of several clauses which are now generally inserted in local Acts of Parliament. As my noble Friend has mentioned, the Notification of Diseases Act is now in force among 20,000,000 of the people of this country.

*THE SECRETARY TO THE BOARD OF TRADE (Lord BALFOUR of BURLEIGH): My Lords, before the Second Reading of the Bill is assented to, I beg leave to give

notice, on behalf of the Secretary for Scotland, to move in Committee an Amendment that this Bill should not apply to Scotland, there being already a law in operation there parallel with this measure, and having regard to its provisions, this Bill would cause confusion.

On Question agreed to; Bill read 2ª (according to order), and committed to the Standing Committee for General Bills.

ELECTRIC LIGHTING ACTS AMENDMENT (SCOTLAND) BILL.—(No. 122.)

COMMITTEE.

House in Committee (according to order).

Clause 3.

*LORD BALFOUR OF BURLEIGH: My Lords, I have a very simple Amendment to move on Clause 3, the object of which is this: The Town Council of Glasgow are in another of their capacities Police Commissioners, and in a third capacity they are Gas Commissioners. Early in the year, under the belief that they were the Local Authority, in their capacity as Gas Commissioners, they made application for a Provisional Order, and proper notice was also given by them as the Local Authority in their capacity as Police Commissioners. The opinion of the Law Officers of the Crown has been given to the effect that they are the Local Authority, not as Police Commissioners, but as Town Council. If this Bill passed without amendment it would be necessary for a month's notice to be given before a Resolution can be passed giving sanction to themselves in another capacity to apply for a Provisional Order. As in their capacity as Police Commissioners they have already gone through the proper formalities and passed the Resolution, the object of this clause is to dispense with the necessity for the lapse of another month before the notice could be renewed. No undue advantage can be taken of it, because it only applies where all the formalities have been gone through.

Amendment moved,

In Clause 3, page 2, line 24, after the word "Act" to insert the words "And in the case of any application made before the passing of this Act by anybody constituted the Local Authority by or under this Act, the Board of Trade may entertain such application although the same has not been made in pursuance of a Resolution passed at a special meeting of the said Authority according to the provisions of the Electric Lighting Act, 1882.—(*The Lord Balfour of Burleigh.*)

LORD HERSCHELL: I should like to call the noble Lord's attention to one point, that is, where the Gas Commissioners are the Local Authority, this Bill would give them an absolute power to veto electric lighting in their district.

*LORD BALFOUR OF BURLEIGH: The noble Lord will find a provision in the Schedule to this Bill in regard to that. I am not able to say off-hand to which particular burghs it will apply, but if there are any cases in which the Town Council as Police Commissioners or Gas Commissioners are made the Local Authority then as the Local Authority they would have, at any rate for a time, the power to veto electric lighting enterprise. But there is a power vested in the Board of Trade as regards Scottish burghs the same as that regarding England, that if upon due cause shown it is seen that acting as the Local Authority they are making opposition in order to place undue difficulties in the way of electric lighting enterprise, the Board of Trade may give an order to dispense with the consent of the Local Authority.

LORD HERSCHELL: But is it stated that that will apply to the cases which are covered by this Bill? Because I cannot help feeling that there is very great risk in leaving the determination of the question as to introducing electric lighting in the hands of the Gas Commissioners. One can well understand that where a Local Body are making very likely a considerable profit by the sale of gas they may be very much disposed to be slow themselves in taking up electric lighting, and not only that, but to stand very much in the way of those who are disposed to take it up, and so deprive those who have an interest in its being adopted, that is to say, the community, of the advantage of the electric lighting. I am afraid the progress of electric lighting in the past has been not a little impeded by the fact that the Local Authorities themselves have been purveyors of gas to the public. It seems to me a little strange to give the power of dealing in that way with

electric lighting expressly to Gas Commissioners.

*LORD BALFOUR OF BURLEIGH: No doubt there is some force in the criticism which has been made by the noble Lord, but there are two answers to it. In the first place I may state that I am informed, and I believe it to be the case, that the provision which I mentioned when I last spoke does apply, I think, in this case; but I will make absolutely certain of it before the Bill leaves the House. The second answer is that the criticism does not apply so much to Scotland as to England, because it is not so much the custom in Scotland for profit to be made out of either gas or water undertakings as I am informed it is in England. The price of gas is cut much more closely so to speak in Scotland, and if there is any surplus profit it is returned, I understand more promptly, in the shape of a reduction in price to the consumers than is the case in some municipalities South of the Tweed. There is, therefore, not the same temptations to the actions feared by the noble Lord.

On Question agreed to.

Report of Amendment to be received to-morrow.

CHOLERA IN SPAIN.

QUESTIONS—OBSERVATIONS.

VISCOUNT SIDMOUTH, in rising to ask Her Majesty's Government whether it is the intention to impose quarantine on vessels arriving at ports in the United Kingdom from Valencia or other Spanish ports believed to be infected with cholera, said: My Lords, I presume the attention of Her Majesty's Government has been called to the threat or presence, for I think I may almost use that term, of what appears to be cholera in some of the Southern ports of Spain, and I desire to ask whether they have taken the precaution to impose quarantine upon all vessels coming from any of those infected places, notably from Valencia. I should be very sorry to raise anything like a note of alarm upon the subject, but from the reports we have received, the matter seems to me to demand very serious consideration. The reports of this morning show that out of 190 cases 130 deaths have occurred, and, although the Spanish Authorities seem still to doubt whether the disease be cholera or not, I think that fact is sufficient to require that every precaution should be taken by those who are responsible against the introduction of any disease into this country. I find that for some time past quarantine has been imposed at Gibraltar upon vessels coming not only from Valencia, where the disease is so prevalent, but also from some other Spanish ports. There has recently been a report that similar cases have actually appeared in France, and I think in some of the Northern ports of Spain. Those being the facts as stated, I think I am justified in asking Her Majesty's Government whether they will take into their serious consideration the necessity of imposing quarantine upon all vessels coming from any of those infected ports, and whether any steps are about to be taken in the matter.

*THE EARL OF JERSEY: I beg to inform my noble Friend, in reply to his question, that it is not the intention of Her Majesty's Government to impose quarantine regulations upon vessels coming from Valencia and other Spanish ports or ports in the South of Europe. It is intended to pursue the system which was in force in 1885, when there was a serious outbreak of cholera in Southern Europe, and a large number of deaths, I think about 60,000, occurred in the course of two months, July and August. At that time regulations were passed by the Local Government Board by which, whenever a vessel arrived from any foreign countries, the Customs House Officer was enabled, before the vessel touched land, to make inquiries as to the state of health of the people on board, and if there was any suspicion of cholera or other infectious disease, to detain the vessel. Then the medical officer of the port would go on board and inspect the vessel and take all the necessary steps for the isolation or disinfection of the sick and other persons, as might be required. I need hardly assure the noble Lord that the Local Government Board will watch carefully the continuance of this outbreak, and I hope that it will not be so serious as is anticipated.

VISCOUNT SIDMOUTH: May I ask whether the Government have any information on the subject from those ports?

*THE EARL OF JERSEY: I cannot answer the question without notice, but I will inquire.

COURT OF CHANCERY OF LANCASTER BILL.—(No. 93.)

House in Committee (on Re-commitment) (according to order); Bill reported without further Amendment; and to be read 3ª To-morrow.

TRUSTEES APPOINTMENT BILL.—(No. 84.)

House in Committee (on Re-commitment) (according to order); Bill reported without further Amendment; and to be read 3ª on Monday next.

FOREIGN JURISDICTION (CONSOLIDATION) BILL.—(No. 109.)

House in Committee (on Re-commitment) (according to order); Bill reported without further Amendment; and to be read 3ª To-morrow.

FACTORS (SCOTLAND) (No. 2) BILL. (No. 108.)

House in Committee (on Re-commitment) (according to order); Bill reported without Amendment; and to be read 3ª To-morrow.

ARMY—PURCHASE AND REGISTRATION OF HORSES.

LORD WENLOCK: My Lords, in rising to call attention to the present system of buying and registering horses for the Army; and to move for a Return of the number of horses purchased for the Army during the last two years, showing the number obtained from the dealers and of those from the breeders direct, and the places where they were bought; and also the number of horses registered for the Army, I desire to say that I have placed this notice on the Paper, feeling that the subject is of great importance to the country, and one upon which information is much needed. It will be within your Lordships' recollection that three years ago my noble Friend, Lord Ribblesdale, whom I am glad to see in his place, brought forward the subject of horse-breeding in this country in a Debate in which he argued the question most thoroughly and with great ability, and the result of the discussion and of the stir which it created throughout the country generally, was that a Commission was appointed to encourage the breeding of horses in the country, a sum of money being placed at their disposal. That money was spent with the greatest benefit to the country, small though the sum was. When the Government took that step, in my humble judgment they should have gone further, and should have extended the system of buying horses for the Army, so as to place themselves in direct communication with the breeders, and thus give further encouragement to the breeding of horses. About the same time the Army Re mount Committee was appointed, and I would ask my noble Friend the Under Secretary of State for War whether he has any information with regard to that Re-mount Committee. I should like to know how many Members there are on that Committee, what is its cost, what are their duties, and in what way they carry those duties out. As far as I can ascertain, this Committee sits in London, and is in no way in direct contact with the farmers of the country who are breeding horses. It is impossible for them to carry out such a system as I believe ought to be carried out in this country, a system by which they should be in close and immediate contact with those breeders who produce the supply. I venture to suggest that if my noble Friend could point out some way in which this Committee could be broken up from its centre in London, whence it conducts its operations, and could be scattered about through the country, such a system would be productive of a great deal of good. I believe this question has occupied the attention of those who have an interest in the subject for many years past. I find in the evidence given before the Royal Commission which sat upon this subject in 1873, Mr. East, whose intimate knowledge of it is well known to your Lordships, summarised his views in a manner which certainly commends itself to me, and I should like to call your Lordships' attention to them. The first of the three recommendations he put forward, was to the effect that we must obtain our troopers direct from the breeders, and he said that in that way we should acquire a knowledge of the resources of the country. Then he went on to say that the present

prices are sufficient if only the breeder were dealt with directly, for the consequence of that would be that the price would be raised to the breeder; that it is only owing to our present defective system of buying that we cannot properly find what is required, and that we should be still worse off in a time of emergency. This evidence, applicable as it was in 1873, is, I think, quite applicable to the present state of affairs. My Lords, I do not believe, as far as I can ascertain, that this Committee is in proper touch or communication, as it should be, with all breeders of horses in this country, and I should, therefore, like to see some such system established as this which was shadowed out by Mr. East as long ago as 1873. In the Debate which took place on the occasion I mentioned three years ago, the illustrious Duke who is Commander-in-Chief of the British Army made some remarks upon the subject; and I will call your Lordships' attention to one particular sentence which he then made use of—

> "It is most essential, therefore, for all purposes that the breed of horses should be encouraged, for English horses are the best in the world, and more encouragement to the farmer would be beneficial, not only from a military point of view, but for the general public."

If I may venture to say so, I fully endorse all that the illustrious Duke said upon that occasion. I believe that if these gentlemen could be placed in direct communication with the breeders a great advantage would follow. I do not believe that the Committee is in proper communication with the breeders of horses, and I believe this more direct communication with the breeders would entail no increased expense on the country; on the contrary, I maintain that the extra sum which is now lost to the breeder, and which passes into the pocket of the middleman, would be saved, or better applied. I should like my noble Friend to tell me, if he can, what the advantage of the present system is over the old one. Under the old system the colonels of the regiments obtained re-mounts through dealers at prices varying from £40 for the light cavalry, and £42 for the heavy cavalry, to £45 for the artillery. In fact, the same system is carried out in this country of purchasing all horses through dealers. We have precisely the same system of purchase going on, *plus* the expense of this Re-mount Committee. That is a system which I believe to be very unsatisfactory. I desire to exclude from the scope of my observations upon that point the system which is carried out in Ireland. Colonel Drew, who is the only official connected with these matters in Ireland, I believe, does all he possibly can to place himself in direct communication with the breeders of horses there, but it is, of course, impossible for him to see them all, and, therefore, he has, to some extent, to trust to dealers. I should like to see the whole of the country parcelled out into districts, and official buyers appointed in those districts, who should be in every day communication with those persons who breed horses. The third point upon which I desire to ask my noble Friend for information is with regard to registration. Here I must confess I am in a difficulty, because I can get very little information upon the subject. The only things which I have been able to find out are the Returns which were published by my noble Friend Lord Harris, who has now gone to Bombay. In talking of the registration of horses, he mentioned the fact that 14,000 horses were registered at an expense to the country of 10s. for each animal; but, if my information is correct, by far the greater number of those horses so registered for the purpose of being taken up by the Government in case of a sudden emergency are in the hands of Tramway or Omnibus Companies. I am told that those companies simply receive the payment of 10s. a year, which would amount to say £50 in the case of a company owning 100 horses, but no price is specified to be paid by the Government for the animals, on taking them over, should occasion arise, and I can quite understand that if any sudden call had to be made upon those companies they would naturally say that, as giving up their horses would cause an entire suspension and disorganisation of their business, the Government must expect to have to pay a very large sum indeed for them. I do not know whether that is correct, but, perhaps, my noble Friend will enlighten me on the subject. Your Lordships, of course, can quite understand that big companies would not like to place themselves in that position, and I believe that if such a system as I have

mentioned could be carried out it is quite possible for the various officials who would be acting in districts all over the country to register in their districts horses whose owners would be ready to give them up to the Government, at any time they might be required, for the sum of £40. In that case, at all events, we should not have to pay such very large sums as at present we possibly might have to pay to Tramway and Omnibus Companies, and the whole matter would be carried out much more economically, and upon a much more correct basis, because not only would the Government be able to place their hands upon those horses, at the price I have mentioned, £40, but they would be able, through their officials, to satisfy themselves of the condition of horse-breeding in this country, so that they would know upon what supply they could depend throughout the country. There is this great point to be considered: service-horses are not like wheat or potatoes that you can get them whenever you want them. It takes a long time to get a horse for service in this country, and, therefore, the country ought to look upon this matter in rather a different light to that in which ordinary subjects of commerce are regarded in reference to demand and supply. I hope, therefore, that my noble Friend will be able to satisfy your Lordships that some such system will be considered, and, if possible, set on foot, as I have ventured to point out. I am perfectly certain that if something of the kind is done it will impart greater energy to breeders throughout the country, and the subject of the purchase of service-horses will be placed in a much sounder position than I believe it to be at present.

THE EARL OF DUNDONALD: My Lords, I think the noble Lord who has introduced this subject has dealt with it rather from the breeders' and farmers' point of view. But there is also another point of view from which it may be regarded, that is the taxpayers', and I think the Government are perfectly justified in placing the hard-headed practical middleman between the purse of the nation and the pockets of the farmers. Many of your Lordships, no doubt, have tried to purchase horses on your own account, and I suppose are quite as capable of judging of the merits of a horse as the officials who would probably be appointed under the system which has been sketched out by the noble Lord; but I have no doubt you found that you were obliged to give up trying yourselves to purchase, and that you would do far better to employ a respectable dealer. If one can judge of the working of a scheme by its results, all I can say is that here the result has been most satisfactory. The horses now supplied to the cavalry are, at any rate, as good as they have ever been, and I believe if your Lordships could see some of the re-mounts which have been recently supplied to the cavalry regiments, you would say you had never seen a better looking lot of young horses. There is only one other point which I should like to touch upon in this connection, and that is, with regard to the purchase of foreign horses. I should like to ask the noble Earl to state, when he replies, whether the Government are purchasing re-mounts from abroad. If this is the case, I certainly think the Government are not acting properly in doing so, because that would not be carrying out the statement made by the Secretary of State for War, about a year ago in another place, that warlike material would be purchased as far as possible in this country, and I consider that the supply of re-mounts comes within the scope of that assurance. With regard to what has been said about the registration of horses, I hope we shall have a satisfactory reply from the noble Lord, but there is one circumstance which has come under my notice, and which, I think, your Lordships might like to hear. I have been told of cases in which masters of hounds have supported the system of registration in a most patriotic manner. One master of hounds, on being applied to, at once registered 20 horses, though there was not a single horse in his stable which had cost less than £150. Thus, in time of war, he would be obliged to give up to the Government, for £60 or £70, horses which had cost £150. I think, my Lords, this is true patriotism, and if the noble Lord grants this Return, I hope it may be found possible to state the names of those Masters of Hounds who have come forward so generously.

*LORD BELPER: My Lords, before the noble Lord rises to answer the question he has been asked I should also like to ask him whether he can state the number of horses which are bought out of the Yeomanry. A year or two ago it was the custom to send down officers to look at the horses of the Yeomanry, and, of course, there should have been a good opportunity there for the Government to buy; but, I am sorry to say, that in the district with which I am principally concerned no horses were ever sold to the Government. Whether or not they offered a sufficient price, in some instances, I am not aware, but I know there are other conditions made which prevented horses otherwise perfectly fit being bought for Government purposes. I believe it was an invariable rule that no docked horse would be bought by the Government. Therefore, the question I should like to ask is, whether the Government now buy docked horses from dealers, though in former times their officials used always to refuse to buy such horses when shown them in Yeomanry Regiments. If any arrangement could be made for the purpose it would be a considerable assistance to Yeomen if they could find a sale for a horse at an ordinary price for Government purposes. As a matter of fact, that has not been the case, and they have been rather handicapped in that regard in comparison with the dealers, because I understand that horses which have been offered for sale in May or June in the Yeomanry Regiments would be refused. They would not be bought for the Government, because they were not old enough, and yet they would be bought from dealers three or four months later at whatever the price might be which was given for them. The Yeomanry have received no benefit from the system which has been initiated, and, as a matter of fact, the Yeomanry horses are not even now looked at. I should like to ask the noble Lord whether he can inform your Lordships how many horses have been bought out of the Yeomanry within the past few years.

*THE UNDER SECRETARY OF STATE FOR WAR (Earl BROWNLOW): My Lords, I think it is necessary for me to say that it is of great value to the War Department to have free expressions of opinion from those who, like the noble Lord opposite who has asked for this Return, live in the horse-breeding counties of England, and who take a great interest in the breeding of horses, and the purpose for which horses are bred. Upon this important matter of re-mounts, the opinions which the noble Lords who have spoken have expressed, cannot but have considerable weight. The Return asked for by the noble Lord really, I may say, embraces two Returns, one on the subject of re-mounts, the other on the subject of the registration of horses. Those, of course, are very different subjects. With regard to the question of buying re-mounts for the cavalry, your Lordships will understand the horses required are young horses which can be trained for cavalry purposes. On the other hand, the horses required for registration are seasoned horses, already broken, which can be made available for cavalry purposes after a short training, or for purposes of draught immediately. Then as regards the machinery now at work, there is one purchaser who conducts the purchasing and registration in Ireland, and two purchasers who perform the same duties in Great Britain. All the horses purchased for remounts are seen by the Inspector-General, and are passed by him before they are sent out. I must remind the noble Lords who have spoken that it is impossible for the Department to give an unlimited power of purchasing horses; there are only a certain number required, and horses can only be bought as vacancies occur in the regiments. The total number allowed in the Estimates cannot be exceeded. To give the noble Lord the number of horses purchased in the last two financial years. I may state that in 1888 there were 1,427 horses purchased, and in 1889 the number was 1,734. The number purchased from breeders was small as compared with the number purchased from dealers; but in the latter year it considerably exceeded the number purchased from breeders in the former year, and also bore a larger proportion to the number purchased from dealers in former years. That gives us hope that the Committee of Remounts is not so entirely out of touch with the breeders, and that as the number of horses purchased from them in those two years has increased it may go on increasing, until the num-

ber so purchased is much greater than it is now. I will now pass to the question of the experiment that was tried for utilising the Yeomanry for the purpose of purchasing re-mounts. The numbers are these: in 1887 four regiments were visited and only four horses were bought; in 1888 the whole of the 39 regiments of Yeomanry were visited and only seven horses were taken; in 1889 there were 22 regiments which specially notified that horses were offered for sale, but of those only four were passed into the Service. My Lords, I am afraid when we take those figures and consider them they are not very encouraging. I am bound to tell the House that this experiment, though we have always tried to encourage the Yeomanry to come forward and sell their horses, has been an entire failure; and I am much afraid that it is no use to go on with it. I would further state that the price of this very small number of horses so bought was very large owing to the expenses of travelling in sending down officers to see them. Then my noble Friend said he would like to see permanent purchasers established in districts throughout different parts of England for the purpose of purchasing horses. That, no doubt, would be exceedingly expensive. But what has been done is this. I mention it, as I do not think it is generally known. The Adjutants and Permanent Staff of the Yeomanry have instructions to inform the Remount Department what horses there are in their districts which are fit for re-mounts. Then farmers having horses to sell have only to inform the Yeomanry Adjutant; that is reported; the owners are communicated with and purchasing officers are sent down to see them and to buy those found to be suitable for cavalry purposes. The process is very simple; a farmer having a horse to sell in any part of the country has only to go to the nearest Yeomanry Adjutant and fill up a form stating the size, age, colour and other matters with regard to the horse, and if the animal appears likely to be suitable for cavalry purposes an officer will be sent down. Then if the horse is found suitable he will be purchased. I do not think this arrangement is generally known among farmers; perhaps if it was they would take more advantage of it. Now, I will pass on to the other question of registration. As I said before, horses which are registered are required to be of a different stamp to those which are purchased for re-mounts. We want for registration horses fit for immediate use. A horse to be registered must be broken and ready to go to work at once. My noble Friend has asked whether those horses are not chiefly registered by Omnibus Companies and Tram Companies. A good many are registered by companies of that kind, and a good many are registered by Railway Companies, and people such as carriers and others who employ large numbers of horses register them. The result has been that there are 14,000 horses now registered. Of those 14,000, 3,241 are fit for riding, and 10,759 are fit for draught purposes. There is no reason to suppose that a great many more horses could not be put on the register if they were required. I may now state that my noble Friend is quite in error in supposing that no price is fixed for those horses if they are wanted. The price is carefully fixed from year to year, and the animals themselves are most carefully inspected by the Re-mount Department. My Lords, I cannot leave this subject without saying that I feel that the thanks of the War Department and of the country are due to those Masters of Hounds who have come forward in a most liberal and patriotic spirit and recognised the fact that the greatest, perhaps, of our national sports ought, in time of emergency, to give assistance in supplying the wants of the National Army, and have placed in the most patriotic manner their hunt horses at the disposal of the Government by registration. The noble Lord did not move for a Return, I think, when he was speaking, but I suppose he wishes for the return he has stated on the Notice Paper. I can only say that Her Majesty's Government will be happy to lay the Return he wishes for upon the Table of the House, and there I hope he will find all the information he requires.

THE EARL OF CORK: My Lords, I am very glad my noble Friend has called the attention of the House to this question, and I must say I hardly think the reply which has been given by the Under Secretary for War is satisfactory. The noble Lord has evidently tried to

shift the blame from the shoulders of the Yeomanry to the shoulders of the Inspecting Officers sent down to examine by Her Majesty's Government. In the County of Somerset I know that when the Inspecting Officer came down to inspect horses a good many were shown him; but immediately one was brought out with a docked tail it was sent back into the ranks, and the owner was told that it was quite useless. Any noble Lord in the House who has had experience of the Yeomanry must be convinced of the vast improvement that has taken place in the quality of their mounts; and I must say that in the Counties of Somerset and Wilts a good mount, such as would be ridden by a farmer there, would certainly realise a far larger sum than £40, which is all, I believe, that Her Majesty's Government are prepared to give. There are some very good horses in the hands of the farmers. Therefore, I think the Government can hardly expect to get good re-mounts from Yeomanry regiments, unless they are prepared to give a better price. I will go further, and say also that the present method of buying horses for the Army is not a very great improvement on the old system. You still have to go to the dealers. The dealer is a man who knows what a horse is, and he can deal with a farmer in a way which no gentleman can possibly adopt. He understands the art of dealing with the farmers. We must also remember that in purchasing for the Army the dealer has this advantage. He has to buy not only one horse but two or three from the same owner, and therefore he very often gets a horse at a moderate price by taking three or four other horses at the same time. I know that is frequently the case, and in Ireland particularly, where dealers who have purchased several horses together often get a horse fit for the Army at a better price on that account. Therefore, I think the present system is merely a variation of the old method. Instead of the Colonel of a regiment dealing direct with a dealer, one officer in Ireland called a purchaser, and two in England, are really doing the very same thing as was done in former days. Then in regard to the registration of horses. I know a good many people who think it is a capital thing to get 10s. a year for registering a horse. It is a nice sum for a job-master or omnibus proprietor who is owner of, say, a 100 horses, to get—in that case there would be £50 a year for him. But no price is fixed for them, so that when the time comes when those horses will be required what a very awkward position the Government will find themselves in!

*Earl BROWNLOW: I beg the noble Lord's pardon, the price is fixed most carefully.

The Earl of CORK: I apologise to my noble Friend as that is the case. I quite agree with what the noble Lord has said as to the gallant way in which Masters of Hounds have behaved in the matter; but I think at the same time it is a very expensive way of doing this, that is to say paying 10s. a year. Where there is a price given those very horses will be brought forward and placed at the Government service, though no such price may have been put upon them on former occasions. I am very glad this question has been brought forward, and I am sure the whole country takes great interest in it. The breeding of horses has vastly improved in this country, and a far better horse is now being produced than was the case some years ago. I only hope that even more encouragement will be given in future to the breeding of horses than has been given in recent years, and I think that the sum placed in the hands of the Commissioners for this purpose ought to be increased. I think more good could be done if a larger sum were given.

A noble Lord: My Lords, I can fully bear out that the horses in Yeomanry regiments were always sent back if the horses were docked. I think it would be beneficial if we could have some assurance from the noble Lord as to whether, in future, docked horses would be taken for Cavalry re-mounts. I think such an intimation would be satisfactory to all of us.

*Earl BROWNLOW: I cannot give a reply to that off-hand; but I shall be happy to make inquiries and answer it, if possible, in due time.

*Lord HARLECH: As an old Cavalry officer I must express my opinion that it is a very great mistake ever to buy a horse for the Cavalry with a docked tail. Our cavalry may be required to go at any time to a hot climate, and a horse

with a docked tail is only half a horse. The want of a tail causes more suffering to the animals than can be conceived, from the inability to brush away flies, and it ought, I think, to be thoroughly well-known throughout the country that the cavalry do not admit docked tails. If that were known there would be no efforts made to pass horses of that kind into the cavalry. Owners of such horses would know what was before them, and if they aspired to breed horses for the cavalry they would not dock them.

LORD WENLOCK: My Lords, with the indulgence of the House I will now move formally for the Return mentioned in the notice. With regard to the remarks made by my noble Friend, it seems there is great difficulty placed in the way of farmers selling their horses to Government. I can quite understand that the expense of officers going down from London would be very great if the War Office are going to get the Yeomanry Adjutants, say in Northumberland, to inform the Department in London of the number of horses in their district. With regard to docked horses, I may state that Colonel Drew told me that in Ireland at the horse fairs he had found himself in competition with the Dutch Government, who had no hesitation in buying docked horses, while he lost a good many valuable horses simply because they were docked. And not only did the Dutch Government buy docked horses, but they at once docked all the undocked horses they bought. I do not know that my noble Friend, Lord Harlech, is right with regard to our cavalry horses being sent to hot climates. When the cavalry are sent to Egypt they have Egyptian horses, and in India they have Indian horses assigned to them. Therefore, I think it is possible to buy docked horses and show better results than we are getting now. I will not detain your Lordships with any further remarks in regard to our present system of buying and registering horses for the Army.

Moved,

"That an humble address be presented to Her Majesty for a Return of the number of horses purchased for the Army during the last two years, showing the number obtained from the dealers, and of those from the breeders direct, and the places where they were bought; and also the number of horses registered for the Army."—(*The Lord Wenlock.*)

On Question, agreed to.

POSTAL CARDS.

QUESTION—OBSERVATIONS.

LORD LAMINGTON: I beg to ask Her Majesty's Government whether they can say whether the Departmental Committee of the Post Office have yet arrived at any decision as to the use of adhesive halfpenny stamps for the transmission of cards through the post?

THE EARL OF JERSEY: I am sorry I cannot give the noble Lord such a definite answer to his question as he would wish. There have been other questions besides that referred to in the Notice Paper which were laid before the Departmental Committee. The recommendations made by that Committee are before the Postmaster General, who has not yet come to a decision upon them. Therefore, I can only inform the noble Lord that the question is still under consideration.

INTESTATES ESTATES BILL.—(No 148.) ORCHARDS RATING EXEMPTION BILL. (No. 149.)

Brought from the Commons; Read 1ª, and to be printed.

House adjourned at twenty minutes before Six o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 26th June, 1890.

PRIVATE BUSINESS.

LONDON OVERHEAD WIRES BILL—(*by Order.*)

Order for Consideration, as amended, read.

Motion made, and Question proposed, "That the Bill, as amended, be now considered."

(3.5.) SIR ROPER LETHBRIDGE (Kensington, N.): I rise to move, as an Amendment, that the Bill be considered upon this day six months. I admit, at once, the inconvenience of moving the rejection of a Bill at this stage, and, therefore, it is necessary that I should explain at once why many metropolitan

Members regard it as their bounden duty, notwithstanding that the measure has received the approval of a Select Committee, to offer to it an uncompromising resistance. It is one of the penalties which arise from the devolution of Private Bills to Select Committees, that on certain occasions it becomes necessary to raise a discussion in regard to them in the House itself.

(3.7.) SIR W. PLOWDEN (Wolverhampton, W.), speaking from the Front Opposition Bench below the Gangway: I rise to a point of order. I wish to draw your attention, Sir, to the inconvenience of having the floor of the House occupied by a new contrivance connected with the presentation of Petitions, which renders it impossible for Members sitting here to see or hear what is taking place. [The hon. Gentleman alluded to the fact that the centre of the floor of the House from the Bar to the Table was occupied by a series of wooden boxes of a cylindrical form, containing a Petition awaiting presentation in favour of the Local Taxation Bill.]

*(3.8.) MR. SPEAKER: I had no idea that the Petition would have assumed such large proportions. I have already given directions that immediately after the Private Business shall have been disposed of, the Petition shall be removed. The House will see that the framework adds largely to the proportion of the Petition.

(3.9.) SIR ROPER LETHBRIDGE: Before I was interrupted I was placing before the House the conditions which render it the bounden duty of the metropolitan Members to offer a strenuous resistance to this Bill, even at this late stage. We had hoped that the Select Committee would have safeguarded the rights of the residents of the Metropolis against the undue intrusion of officials upon what has always been regarded as private property. This Bill confers upon the officials of the London County Council powers of compulsorily interfering with the rights of private individuals such as, I venture to say, have never before been authorised by this House except under the gravest and most special circumstances. They are powers which may probably have been given by a warrant, but a warrant can only be issued in circumstances of a very special character. No doubt an interference with the rights of private property for private objects can be made by a special Act of Parliament, passed *pro hâc vice* for a particular purpose. This Bill proposes to give for all time to come to the officials of the London County Council power compulsorily to enter upon private premises, in order to put up and to extend overhead wires, not only upon one occasion and for one purpose, but for all eternity. I believe that such extraordinary powers have never yet been asked for in a Bill of this kind, and I trust that the House of Commons will never consent to grant such powers to any bureaucracy or any official person whatsoever. I hope that no attempt will be made, on either side of the House, to make this a Party question, or in any way to regard the Motion which I now respectfully submit as in any way tending to an expression of distrust in the London County Council. I am one of those who have the fullest faith in the future of the County Councils of this Kingdom, and certainly in the future of the London County Council, and in the wisdom and discretion which will be shown by that important body which this House has clothed, and rightly clothed, I think, with full Local Authority in the Metropolis. At the same time, I am bound to admit that the existing London County Council may possibly have laid itself open in some measure to a charge of interfering with matters which hardly, at this time, or at this stage of its existence, come rightly within its purview. I regard it, however, as youthful arrogance on the part of the London County Council, and I entertain the hope that future Councils will learn wisdom by experience, and will avoid the errors which the present Council has committed, mainly by reason of its youthfulness and inexperience. I wish it to be thoroughly understood that the metropolitan Members, in resisting this Bill, are acting in no sense in opposition to, or from distrust of, the London County Council. We object to any officials, whether they are connected with the London County Council or any other authority, having conferred upon them for all time the inquisitorial powers which are proposed to be conferred by this Bill. It may be alleged by those who are promoting the Bill that some means must be found for enabling the

necessary communications for telephonic wires to be made; but I think it is wise for those who are promoting schemes of this nature to submit to the House some proposal against which the same objections will not apply, and which will not interfere, in the same way, with private rights. One of the reasons why the Bill was not opposed in its earlier stages was that it came before the House simply as a Subway Bill, which proposed to carry telephonic and other wires through the congested thoroughfares of the Metropolis by means of subways. I admit that this would have involved a larger outlay, but it would have been more consistent with the convenience of the residents of the Metropolis. I confess that, personally, I had no idea when I heard of a Subway Bill that there was any intention of empowering the officials of the London County Council to come into all our houses and put up these wires. That, I think, is the main reason why the progress of the Bill was not opposed in its earlier stages; and if it were still proposed to deal with these wires by means of subways our objections to the measure might be overcome. The Bill has now assumed a very different form, and many important Local Bodies in the Metropolis have signified the strongest objection to its provisions in its present form. I speak here as the representative of my own Vestry—the Vestry of St. Mary Abbots, Kensington, and it will be within the knowledge of many Members of the House that a considerable number of the other Local Authorities in the Metropolis have pronounced a similar opinion—even such important bodies as the Benchers of the Inner and Middle Temple. Therefore, I venture to submit that although it is a somewhat late period at which to bring forward objections, yet, considering that the measure was introduced under another name, and under a guise in which its real purpose could not be suspected, I have no alternative but to move the Amendment which stands in my name.

*(3.20.) MR. BARTLEY (Islington, N.): I beg to second the proposal of my hon. Friend, that the Bill be read a second time on this day six months. It does seem to me a somewhat startling thing that, under the name of a Subway Bill, we should be asked to pass a measure which is to enable the Local Authorities in London to enter the house of every inhabitant.

(3.21.) SIR T. ESMONDE (Dublin County, S.) speaking from the lower end of the Front Opposition Bench below the Gangway: May I ask, Sir, as a matter of order, that you would direct the removal of the obstruction which is now blocking up the floor of the House? All I can say is that we on this side do not know who the hon. Member is who is addressing the House.

*MR. SPEAKER: I have already answered the question in regard to this Petition. I am sorry that hon. Members are suffering inconvenience, but I hope that they will put up with the inconvenience for a few minutes longer. It shall be removed as soon as the Private Business is disposed of.

MR. LABOUCHERE (Northampton): Will the hon. Member stand on one of these things (pointing to the wooden cylinders containing the Petition)?

*MR. BARTLEY (removing from his place on the floor of the House to a seat behind the Ministerial Bench) continued his speech: I am afraid—he said—that the houses of the Metropolis will be similarly inconvenienced and obstructed when they are covered with these telephone poles. I had the honour on one occasion of having one of them put upon my house, and, therefore, I know what they are. This Bill proposes to enable the authorities to erect a telephone pole whether the owner or occupier likes it or not. It is the beginning of a very singular state of legislation for the Metropolis, and what will be the result when electric lighting becomes general, is, I think, a matter for very serious consideration. Whether the owner or occupier is a consenting party or not it is proposed that the Local Authority shall have power compulsorily to put up these poles and wires. Clause 11 of the Bill contains a most extraordinary provision. It authorises the erection of poles and wires against the will of the occupier, but at the end of the lease the owner may require them to be taken down. There is even a worse provision in the Bill, empowering the County Council or the Local Authority to enter a man's house at any hour in order to superintend these overhead wires.

*Mr. H. LAWSON (St. Pancras, W.): To inspect them.

*Mr. BARTLEY: The hon. Member does not say what the inspection is to be. If he does not know, my own personal experience will enable me to tell him. At any hour, whether the occupier is ill or well, whether his wife is ill or well, or whether anything is happening in the House, the officers of the County Council are to have the right to send workmen into the House, cause them to go upstairs, make use of his private apartments, get upon the roof, and walk about the slates. I had, on one occasion, a very long pole placed on the top of my house, and I found that at all hours, and pretty nearly on every day of the week, work people were engaged in superintending it, or inspecting, or whatever the hon. Member opposite likes to call it. In fact, workmen were walking up and down my stairs every hour of the day. The only reason that can be urged for accepting the Bill, is that it has already been passed by a Select Committee. As a general rule, that is a valid reason for accepting a Private Bill, but on this occasion, I agree with my hon. Friend the Member for North Kensington (Sir Roper Lethbridge), that there are substantial grounds why that reason should not be allowed to apply. The measure was brought in as a Subway Bill, and, in my opinion, it is only by means of subways we can get rid of the nuisance that is created by the extension of these wires through the streets of the Metropolis. If it is necessary to take houses for the erection of telephone wires, they ought to be purchased in the ordinary way. It may be said that there already exists a means of providing compensation, but the compensation is most inadequate, and fails to meet the necessities of the case. The ordinary payment for a pole is a guinea a year, but a payment of 2 guineas, or 5 or 10, would be no consideration compared with the nuisance inflicted upon the occupier of a house by these private trading companies having the right of entering his premises. I venture to think that the House were to a certain extent deluded when they allowed the Bill to be read a second time. It would never have been read a second time if it had stood as it does at present. I sincerely trust that the House will throw out the measure.

Amendment proposed, to leave out the word "now," and at the end of the question to add the words "upon this day three months."—(*Sir Roper Lethbridge.*)

Question proposed, "That the word 'now' stand part of the Question."

*(3.25.) Mr. CHILDERS (Edinburgh, S.): I wish to raise a point of order. The business of the House is seriously impeded by the cylindrical wheels which are now blocking up the floor of the House. They are most inconvenient, and I appeal to you, Mr. Speaker, whether they ought not to be removed.

*Mr. SPEAKER: The Private Business is lasting a longer time than I anticipated it would. I have already stated that it is obviously inconvenient that the Petition should be allowed to remain on the floor of the House; and will ask the officers of the House to have it removed at once.

Mr. MAC NEILL (Donegal, S.): Has any one examined the contents, or will it be open to any hon. Member to do so?

*Mr. SPEAKER: The contents will be examined by the Committee on Public Petitions. [The Petition was then rolled out in detachments, by the officers of the House.]

*(3.28.) Sir J. BAILEY (Hereford): It was my fortune to act as Chairman of the Committee, but although the Committee are in no way responsible for the title of the Bill when it was first brought into the House, I think it is fair to say that there was nothing in the title which was intended to deceive. Originally it was a Bill to enable the County Council of London to make subways through the Metropolis, and to possess certain powers over overhead wires. The power to make subways was met with strenuous opposition from every vestry in the Metropolis, and that power was consequently cut out of the Bill before it came to the Committee. The hon. Member who spoke for the Kensington Vestry, ought, I think, to know that the Committee did not accept the Bill in the shape in which it first came before them, giving the London County Council power over the streets of the entire Metropolis. It struck that provision out of the measure, making the County Council responsible only for the framing

of by-laws, and giving to the Vestries and Local Boards the duty of looking after and controlling overhead wires. The Bill, in its present shape, proposes to carry out the Report of the Select Committee which sat in the year 1885, and, with the permission of the House, I will read a few words from that Report to show what the opinion of that Committee was. The Committee say that the risk of danger to the public from overhead wires had been greatly exaggerated, but they were of opinion the probable development of the telephonic system made it desirable that there should be some change in the law relating to the control over wires, with a view to their better supervision. Dealing with telephonic wires, they say, at the end of their Report, that they were of opinion that, under proper regulations, permission should be given to pass wires over property without the owners having the right of prohibition; but that the facilities afforded should confer no vested interest. With regard to "attachment," that can only now be made with the consent of the occupier and owner; but powers are proposed to be conferred in certain cases where it is impossible to obtain access to premises for the purpose of connecting them with a general telephonic system, owing to the refusal of an individual to permit the attachment. The Committee say that they are of opinion that in special cases where it is proved to the satisfaction of the Local Authorities, on investigation, that particular individuals or districts are deprived of the public convenience of telephonic communication owing to such refusal, the Local Authority shall be authorised to give permission to attach wires to premises, under suitable regulations, and on the payment of such compensation as the Local Authority may deem just. This Bill simply carries out the recommendations of the Select Committee. The Committee upstairs have most carefully considered and safeguarded the interests of all the householders in London, and the fears which have been expressed by two of the metropolitan Representatives appear to me to be absolutely without foundation. It is said that the Bill will empower the Council's officers by day or night to enter into private houses. Now, one of the great dangers of the overhead wires is that there are in London a great number of derelict wires, which have been used in former times, but are now abandoned, and, therefore, it is most necessary that workmen should be appointed by the Local Authorities to deal with them, as it is obviously ridiculous to expect an Inspector to inspect them through a telescope. Clause 8 of the Bill provides that the Inspector of the Council may enter a private house provided he is in uniform, and is duly authorised in writing by the Local Authority, and provided that notice shall have been previously given. The Inspector may then enter at some reasonable time to be named by the occupier. The rights of householders being thus most stringently guarded, I hope the Bill will be now considered.

*(3.40.) MR. H. LAWSON: As one of the Members in charge of the Bill, perhaps I may be allowed to say a few words. The hon. Member who has moved the rejection has availed himself of the opportunity to attack the London County Council, and I think that fact affords an explanation of the motives by which those who are opposing the measure are actuated.

SIR ROPER LETHBRIDGE: I especially disclaimed any such intention.

*MR. H. LAWSON: The House will be able to judge for itself whether I am right or not. These attacks are becoming a little stale, and they show the jealous hostility of some Metropolitan Members to the body which has succeeded the Metropolitan Board of Works, for which they retain a lingering affection. The London County Council has had very little to do with the drafting of the Bill. The question is one of public safety and convenience. As the Chairman of the Committee has already told the House, it mainly carries out the recommendations of the Committee presided over by Mr. George Russell, who sat in 1885, and contained three metropolitan representatives, as well as Sir J. M'Garel Hogg, the Chairman of the Metropolitan Board of Works. I believe that now, as well as then, the House is agreed upon facilitating the development of the telephone system. The hon. Member for Kensington has painted an alarming picture of the officers of the Council entering houses at any hour of the day or night,

putting sick persons to inconvenience, and annoying the inhabitants. But if there are to be telephone wires it is absolutely essential that they should be inspected.

SIR ROPER LETHBRIDGE: Place them in subways.

*MR. H. LAWSON: It is absolutely impossible to force the telephone wires into subways everywhere, first, because out of 1,200 miles of metropolitan streets and roads there are only 8½ miles of subway; secondly, because of the difficulty of putting high and low tension wires together. Moreover, the by-laws of the County Council will have to be approved by the Board of Trade and enforced by the District Authorities. The title of the Bill has not been changed, as some hon. Members suggest. The original title was "London Subways and Overhead Wires Bill," and the word "subways" has been dropped because that subject no longer has a place in the Bill. There could be no better arrangement than that the overhead wires should be placed under the Central Authority for London, acting through the various District Authorities. The objection to Clause 11, which gives power to attach wires upon private property, is frivolous, as it will only be exercised where an unreasonable objection is taken by the owner or occupier subject to arbitration.

*(3.45.) MR. DIXON-HARTLAND (Middlesex, Uxbridge): The Member for Hereford stated that the Committee was entirely composed of householders, but he did not state that any one of them had ever given permission for a pole to be placed upon his house. I should like to mention my own experience in regard to telephone wires. Unfortunately, I gave a telephone company permission to put a wire over my house, and from that time the House was never my own. The Inspectors were always in and out, my stair carpets were worn out, and my silver had to be constantly locked up for fear it should be stolen. The pole, moreover, was fixed so badly that considerable damage was done to the roof of the house, by the action of the wind upon the pole. The company declined to repair the damage, and it cost me £50 to put the roof in order, when I applied for the removal of the pole. To that inconvenience every person will be subjected who has wires fixed to his house, and I protest against its being done, whether an owner or occupier objects to its being done or not. The question is not altogether one of erecting telephone wires, but of electric lighting wires, with the erection of which we are threatened all over London, and which is a very much more serious matter. We are now in the infancy of the system, and yet we have already realised that these wires greatly increase the risk of fire, a proof of which is that the insurance offices have raised the rates for property to which electric lighting wires have been fixed. In other countries, Sweden and America particularly, where such wires have been brought into requisition, the companies are compelled to have stations in various parts of the town or city from which the wires are run, and as this is a matter promoted by a company for private interests I think the promoters should be compelled to purchase fairly the rights they require, or demand, for carrying out their undertaking. It would be most arbitrary and unjust that they should have the power to interfere with the rights and convenience of the public without any consideration, and I hope the House will reject this ill-digested scheme. I think it would be altogether revolutionary to do away with the idea that an Englishman's house is his castle, and to authorise officers of the County Council to enter a man's premises, whether he likes it or not.

(4.50.) MR. BRADLAUGH (Northampton): I wish to point out that if this Bill passes an entirely new departure in legislation will be made, for under whatever authority the Bill is applied it will give an arbitrary power of interference with property, whether the owner objects or not, and without compensation. Every occupier or owner ought to have the right to object to anything being done to his property, reasonable or unreasonable, subject only to this—that if the objection taken is against the general good he must give up his right on fair compensation. But the Bill provides no such condition as this; and by Clause 2 a man may have his property interfered with without his consent, and those interfering with him may even claim to judge whether his objection is reasonable or not. Is the House going, for the first

time in the history of English legislation, to say that an occupier is not to be an occupier to the full extent which he believed he was when he entered into his property? The objections to the Bill are serious, and I trust it will be rejected.

(3.53.) SIR H. SELWIN-IBBETSON (Essex, Epping): There is yet another objection to be urged against the Bill. Since the introduction of the electric lighting system in recent times the number of attempts to enter private houses under false pretences by persons describing themselves as Inspectors has enormously increased, and I fear the Bill will enhance the danger. There will be constant applications from persons describing themselves as Inspectors, who will enter your houses, and do very much what they like with your property. In my own case applications of this kind have been made, but the Cerberus in charge of the premises was a little sharper than is usually the case, and the applicants were not admitted. One wanted to look at the gas, and another to inspect the electric lighting, which did not exist.

*(3.53.) MR. H. GLADSTONE (Leeds, W.): I think that the remarks made by the right hon. Gentleman as well as the speech of the hon. Member for the Uxbridge Division are in favour of the Bill, which proposes to set up a proper system of supervision in regard to overhead wires. The Committee very carefully considered all the clauses of the Bill, they were unanimous upon the matter, and they have safeguarded the interests of private householders. To those hon. Members who say that we are giving new powers to the County Council, if they will refer to the Bill they will see that the Board of Trade will have a controlling voice in the by-laws to be administered by the County Council. The hon. Member for Northampton spoke of a new departure. That may be so in one sense, but the system of putting up overhead wires has been increasing of late years by leaps and bounds.

MR. BRADLAUGH: I did not say that it was a new departure in reference to overhead wires, but that it was a new departure in legislation as to the mode of dealing with a person's property without compensation.

*MR. H. GLADSTONE: It is for the House to say whether this is not necessarily a new departure in order to meet a new condition of things. In cases where the public convenience is concerned the Legislature has already interfered with private rights, as, for example, in the painting and cleansing of houses, and in other respects, on behalf of general convenience. I hold that public interest and necessity justifies this Bill, and I sincerely hope that the House will reject the Amendment.

*MR. R. G. WEBSTER (St. Pancras, E.): It is too much the habit of certain hon. Members to say when we desire to look into a measure promoted by the London County Council fairly and equitably, that we are attacking that Council. The County Council must not imagine that its measures are to be exempt from the criticism which Parliament exercises in all other Bills promoted by other bodies. Now, no one can, I imagine, object to the clause which deals with derelict wires. This Bill is not a permissive but a compulsory measure. It gives powers to the authorities to say to the householder you shall have posts or polls placed on your house whether you like it or not; and, further, you shall have the wires that run through your premises inspected from time to time. No doubt this power is to be exercised under certain restrictions, but none the less it is a completely new departure, and one to be carefully watched. A Londoner does not wish his house to be considered his castle, but at any rate his home. But it is said that the men who are to inspect these wires are to produce duly signed credentials, and wear the uniform of the County Council (whatever that may be). Even that privilege does not seem an attractive one to the householder. This is no attack on the County Council. Did we wish to attack that body the heavy increase in the rating under its *régime* would offer a more vulnerable point of attack than its action in the various and varied measures it has introduced to the notice of this House. This Bill is one which confers extraordinary powers upon the Council, and I oppose it as a new and great departure.

*(4.3.) SIR J. LUBBOCK (London University): I hope that the opposi-

tion to this Bill is not an attack on the London County Council, but an endeavour to regulate overhead wires. The opponents of the Bill, however, attack solely two of its clauses, and it would surely be unreasonable to throw out the whole Bill on account of two clauses. As regards Clause 11, the hon. Member for Northampton says that the authority seeking the right to put up a pole is itself to determine whether a refusal was unreasonable. That is not so; the London County Council are not owners of overhead wires, and have no interest except that of the public. Then, as regards Clause 8, it is objected that the officers of the London County Council ought not to have any right of entry; but, if the duty of inspection is imposed on them they must have some right of entry. The Bill has been characterised by the hon. Member for Uxbridge (Mr. Dixon-Hartland) as an ill-digested measure, but it is a Bill which has been recommended by two Committees of this House, and I hope the House will support the Committee.

(4.6.) MR. LABOUCHERE: I am afraid that I shall be under the painful necessity of having to go into the opposite Lobby to my hon. Colleague. There is a good deal of force in what he has said, but I consider that all London matters should be handed over to the London Council. I want to wash my hands entirely of all London matters as far as this House is concerned. This is a question which concerns the ratepayers of this Metropolis, and it is for the County Council to settle it.

(4.7.) MR. COURTNEY (Cornwall, Bodmin): I should be very sorry to see everything connected with the Metropolis left to the uncontrolled discretion of the County Council. This Bill has been considered by a Committee of this House, and no one could have listened to the speech of the hon. Baronet who presided over that Committee without feeling impressed with the care that has been given to the subject. I hope, therefore, that the House will not reject, in this summary manner, what has been agreed to by the Committee. Another reason why we should reject this Amendment is that the strongest objection against the Bill has been brought by the hon. Member for Northampton, who objects to one clause of it only. But even if that clause were struck out, there is much that is valuable left in the Bill, to which no substantial objection can be taken. The Bill deals with the natural state of facts, namely, that there are a great number of overhead wires in London which form a source of danger and inconvenience to the inhabitants of the Metropolis, and it is most desirable that some authority should look after the wires. I venture to submit that Clause 8, which has been objected to, is a very reasonable way of dealing with the question of wires already in existence, attached to houses by the permission of the owners and occupiers.

MR. DIXON-HARTLAND: I have not the slightest objection to the provisions dealing with the case where the owner gives permission; what I object to is the provision that poles may be erected whether the owner likes it or not.

MR. COURTNEY: What the hon. Member objects to is the subsequent clause, which raises a separate issue, and should be disposed of by itself. I contend that the Bill is a very valuable provision for looking after a danger which everybody knows exists. I admit that the power to put up a pole against the will of the owner of the house is a considerable step in advance, but I hope the House will not reject the Bill on account of this one item.

SIR ROPER LETHBRIDGE: That power forms the essence of the Bill; or if it is not the essence it is quite as important as all the other provisions.

MR. COURTNEY: I submit that this is not so at all. With respect to that point, which forms the subject of a separate clause, I think it is essential that there should be some authority able to say whether these poles should be set up. The authority appointed by the Bill is the County Council, which has no private interest in the matter, and would only act as the guardian of the public interests. They can give notice to a person who, in their opinion, offers unreasonable objections, and if he continues to assert his objections the matter would be referred to an arbitrator appointed by the Board of Trade. Those who are so devoted to the rights of property as to want special leave for the erection of every pole, can, if they choose, move that this clause should be rejected;

but it is an entirely different thing to oppose a Bill which is admittedly a useful measure.

(4.14.) GENERAL GOLDSWORTHY (Hammersmith): The suggestion made by the Chairman of Ways and Means was conveyed to the promoters of the Bill, and personally I offered to withdraw my objections to the measure if it were accepted. The promoters, however, intimated that they were not in a position to accept it. We are not talking so much of keeping our houses as our castles as of preserving them as our homes.

(4.15.) The House divided:—Ayes 200; Noes 203.—(Div. List, No. 159.)

Words added.

Main Question, as amended, put and agreed to.

Consideration, as amended, put off for three months.

PETITION.

THE LOCAL TAXATION (CUSTOMS AND EXCISE) DUTIES BILL.

MR. WHARTON (York, W.R., Ripon): I beg to present a Petition, signed by 600,000 inhabitants of Great Britain and Ireland, praying this House to pass the provisions of the Local Taxation Bill. I beg to apologise to you, Sir, and the House, for any inconvenience that may have been caused to Members by the presence of a Petition of this magnitude.

SIR W. LAWSON (Cumberland, Cockermouth): Should I be in order, Sir, in moving that the Petition be now read by the clerk at the Table?

*MR. SPEAKER: I do not think it would be in order for the hon. Baronet to make such a Motion. It can be done if the hon. Member who presented the Petition desires it.

QUESTIONS.

IRELAND—ASSAULT ON A CATHOLIC AT COOTEHILL.

MR. KNOX (Cavan, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the case of three men, supposed to belong to the Orange Society, who were, on the 14th instant, at Petty Sessions at Cootehill, convicted of a serious assault upon a Catholic, whom they met alone, and which it was proved was committed for no reason whatever except his religion, and without his having given any provocation; whether he is aware that the prisoners were let off with a fine; and under what head this occurrence will be mentioned in the Returns of outrages in Ireland?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The facts appear to be substantially as stated in the first paragraph. The case was one of common assault dealt with summarily by Magistrates, and will not, therefore, appear in the Return of outrages.

*MR. JOHNSTON (Belfast, W.): Has the right hon. Gentleman any reason for believing these men belonged to the Orange Society?

MR. A. J. BALFOUR: I have not made inquiries on that point.

*MR. JOHNSTON: It is another slander.

*MR. SPEAKER: Order, order!

BOYCOTTING BY ORANGEMEN.

MR. KNOX: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has received any information regarding a meeting held by the Orangemen of Killeshandra on the 12th instant, which was called to consider the conduct of one of the "brethren," who had hired a car from Mr. Brady, a Nationalist; whether any of the Orangemen of the district have been "shadowed," on the ground that they are conspiring to prevent one of their body from doing that which he has a legal right to do; and whether Mr. Brady's name will appear in the Return of persons boycotted in Ireland?

MR. A. J. BALFOUR: I have no certain information, but I understand that the meeting referred to was called to make preparations for the approaching July anniversary. It has not come to the knowledge of the police that any of the transactions at that meeting were illegal. None of the Orangemen in the district have been "shadowed," as the necessity for the adoption of such a course does not at present exist. So far as the police can ascertain, there is no ground for including Mr. Brady's name in the Return of persons boycotted.

THE COMMISSION OF THE PEACE IN DUBLIN.

MR. CLANCY (Dublin Co., N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will state the Petty Sessions district in which Mr. Thomas W. Russell, who was some since appointed to the Commission of the Peace for the County of Dublin, has elected to serve; whether Mr. Russell has any connection by property or otherwise with the Petty Sessions district in which he has elected to serve, or with any other part of the County of Dublin; and if Mr. Russell is not connected by property or otherwise with the County of Dublin, why he was appointed to the Commission of the Peace for that particular part of Ireland?

MR. A. J. BALFOUR: I am informed that the hon. Member to whom this question refers was appointed to the Commission of the Peace for the County of Dublin in the ordinary course on the recommendation of Lord Monck, the Lieutenant of the county, as a fit and proper person to be a Magistrate, and be elected to sit at the Rathfarnham Petty Sessions. His property and residence are situated in the City of Dublin, and Rathfarnham is a suburb of Dublin, and adjoins the metropolitan district.

MR. CLANCY: Are we to understand that this gentleman has no connection with the County of Dublin?

MR. A. J. BALFOUR: There is the connection that I have stated.

MR. W. REDMOND (Fermanagh, N.): Do the Government intend to follow in future the precedent made in this case, and to bring Scotchmen over to Ireland to act as Magistrates?

MR. A. J. BALFOUR: I do not know that a better precedent could be followed; but it does not rest with the Government to follow it, appointments of the kind being made on the recommendation of the Lieutenants of counties.

MR. CLANCY: Is the right hon. Gentleman aware that although the population of Dublin County is overwhelmingly Catholic, the great majority of the Magistrates are Protestant? There being plenty of Roman Catholic gentlemen in the County of Dublin who could be appointed, will the right hon. Gentleman tell the House why a gentleman who is not a Catholic and not a native has been appointed?

MR. A. J. BALFOUR: No. This matter does not form part of my business.

MR. CLANCY: Will the right hon. Gentleman bring under the notice of the Lord Lieutenant the fact that in Dublin County there are plenty of Catholics competent to act?

MR. A. J. BALFOUR: I repeat that that is no part of my business.

A PORTUMNA APPEAL.

MR. ROCHE (Galway, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the report in the *Freeman's Journal* of 23rd June of the appeal heard at Portumna on Saturday last, of Mr. Lyons, a merchant of Portumna, and three other men, against a decision of Mr. Hickson, R.M., and Mr. Mayne, R.M., sentencing them to two months' imprisonment, and a rule of bail for alleged conspiracy to compel or induce a man named James Mitchel not to buy hay from a man named Dillon; whether he is aware that Mitchel, who was produced by the Crown as a witness, denied that the defendants had committed the offence, and that why he did not take the hay was "because he was disappointed about a horse to carry it away"; that the only other witness produced by the Crown was Dillon, who swore that he (Dillon) had previously been imprisoned for "breaking a neighbour's head with a shovel"; that the witnesses for the defence swore that the defendants were engaged on their legitimate business in the market on the day in question; whether he is aware that the same evidence was given at the trial before the Resident Magistrates, and that the County Court Judge of Galway (Mr. Henn, Q.C.), said—

> "He could not overrule the decision of the Magistrates, as he must assume they based their Judgment on a full and fair consideration of the evidence;"

and whether, under the circumstances, and considering that the accused did not get the benefit of a Judgment based on the re-hearing, he will have inquiry made into the matter?

MR. A. J. BALFOUR: The facts stated in the first paragraph are accurate. As regards the second paragraph, the

statement appears to me to be incorrect or misleading, but I do not propose to attempt to give a summing up of the evidence, or an analysis of the testimony of each witness. The County Court Judge did re-hear the case and did confirm the sentences, and I see no ground for further action.

MR. CLANCY: Does the right hon. Gentleman deny that Mitchel swore in Court what is stated in the question?

MR. A. J. BALFOUR: No. I said it was not a convenient practice to sum up evidence given by various witnesses in a case twice tried.

MR. ROCHE: Has the right hon. Gentleman before him the information of the officials in Ireland?

MR. A. J. BALFOUR: I have been supplied with some statements as to the evidence given in this case.

SHADOWING BY POLICE.

MR. CAREW (Kildare, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can explain why Mr. Nash, the Secretary of the Norwich Liberal Association, on his visit last week to the Clongorey Estate, in the County Kildare, was shadowed by the police all the way between Newbridge and Clongorey; also, whether he is aware that the constable who followed the Rev. Mr. Macrae, and who was alleged to have been engaged on other business than shadowing, pursued the Rev. Mr. Macrae the whole length of his journey, stopping whenever he stopped, and immediately resuming his journey when the rev. gentleman moved on; and, if so, whether he still adheres to his statement that he was not shadowed?

MR. A. J. BALFOUR: The Constabulary Authorities report that a stranger having been observed driving with the President of the local branch of the National League in the direction of the Clongorey Estate, two policemen subsequently proceeded to the estate to ascertain if an illegal meeting was being held. The police, as a matter of fact, did not overtake them on the road, and appear to have travelled by a different route. It does not appear that Mr. Macrae was shadowed, or even observed, during the whole of his journey. How far he was followed on a bicycle during any part of his journey I do not know, but am inquiring. It must be recollected that the Plan of Campaign and intimidation in their worst form are frequently promoted by strangers to the district in which they occur. If these crimes are prevalent in any particular locality the police are obviously quite right to take sufficient note of the movement of strangers to enable them to interfere should it be necessary in the interest of the victims of these outrages. This is not shadowing, nor does it inflict the slightest annoyance on anyone.

MR. CLANCY: Is the right hon. Gentleman aware that Mr. Macrae has publicly stated that the policeman did follow him as stated in the question? What was the crime of which the Rev. Mr. Macrae was suspected?

MR. A. J. BALFOUR: I have already stated that he was not suspected of any crime.

MR. CLANCY: If he was not suspected, why was he shadowed?

MR. A. J. BALFOUR: I read with great slowness and distinctness that part of my answer which dealt with the hon. Member's question.

MR. W. REDMOND: Is the fact that a gentleman was a stranger in a district sufficient to warrant the police in dogging his footsteps?

*MR. JOHNSTON: Do not the police follow persons for the purpose of protection?

MR. A. J. BALFOUR: Certainly the police often have to follow for protection purposes. As to the other question, in the first place, there is not a case, as far as I know, in any part of Ireland of a stranger having his footsteps dogged. It is, and must remain, the case in Ireland in those parts where the Plan of Campaign and intimidation exist, that any person who it is thought possible may encourage those forms of crime should be watched.

MR. W. REDMOND: What grounds have the authorities in Ireland for supposing that Mr. Nash would be capable of encouraging such forms of intimidation and crime? Was there anything in the world against him except that he was a stranger?

MR. A. J. BALFOUR: I have no doubt that the gentleman is a model of every Christian virtue, but I have explained to the House the reasons that compel the authorities in some parts of Ireland to take notice of strangers.

MR. CONYBEARE (Cornwall, Camborne): The other day the right hon. Gentleman stated that no persons were shadowed unless there was sufficient reason to suspect that they were guilty of crime or were intending to commit some crime. Does the right hon. Gentleman adhere to that statement in view of the answer he has given with reference to the Rev. Mr. Macrae?

MR. A. J. BALFOUR: Yes, Sir; but I also said that Mr. Macrae was not shadowed.

MR. CAUSTON (Southwark, W.): Would it not be desirable to lay down some rule or establish some office in Dublin where respectable persons could find out whether they would be shadowed or not?

MR. W. REDMOND: Will the Government consider the advisability of issuing passports?

MR. WILLIAM REDMOND: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, whether his attention has been called to the following letter appearing in the *Pall Mall Gazette* of 24th June:—

"Mrs. Edith G. Overend, sister-in-law of the rector of Enniskillen, writes, 'I find some of the customs of this country very strange. I am here on a visit from New Zealand, and I am not two days in town till the police have been making inquiries about me, even in such a public place as a bank, as if I were an escaped convict, or suspected of a felony.' . . . 'I am a Protestant; and while my politics should not deprive me of the liberties of a citizen, they are not Nationalist, for being a colonist, I know little of Irish controversy;' . . . ."

whether there is any reason to believe that Mrs. Overend is engaged in criminal proceedings; and whether the Government will issue orders to the police to ensure that this lady shall not be subjected to the shadowing of which she complains?

MR. A. J. BALFOUR: There is no foundation for the supposition that this lady has been placed under any sort of surveillance. She appealed to the police, as a stranger in the town, to direct her to respectable lodgings, where she could be visited by her brother-in-law, the rector of the parish. On the following day the rector told the police that he had heard of the lady's arrival, and he asked them if they knew where she was staying. This they endeavoured to ascertain, as she had not gone to the lodging recommended. The inquiry was made solely to oblige the rector, and had no public significance of any kind.

MR. W. REDMOND: The right hon. Gentleman has stated there is no ground for asserting that the lady was under police surveillance. I have here a telegram from the lady in which she describes the conduct of the police as abominable, and asking me to ascertain who instructed them to watch her. I have also received a letter from Enniskillen, stating on the best authority that the police did follow this lady, and were instructed to do so. Will the right hon. Gentleman now make further inquiries?

MR. A. J. BALFOUR: I gather that the police did not follow her; but if the lady will communicate with me directly, or indirectly through the hon. Member, I will inquire as to any specific allegations.

MR. W. REDMOND: After this answer I give notice that I shall advise the lady to hold no communication with the right hon. Gentleman.

MR. FLYNN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can state what number of persons are now being shadowed by policemen in the County of Cork, or if he can give the number so shadowed for the first fortnight of this month?

MR. A. J. BALFOUR: I must ask the hon. Member to defer this question till Monday.

TIPPERARY.

MR. J. O'CONNOR (Tipperary, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether complaints have reached him that on Saturday, the 17th of May, the police of Tipperary attempted twice to drive off the streets the Street Inspector of Tipperary while engaged in the performance of his duty, taking down his name and threatening to summon him; that, on the 7th instant, he was also threatened with removal by the police; that on several occasions, including the 12th May, Constable Guinane and other constables impounded horses and cars, whilst their owners were in shops making purchases; and that, on the 2nd instant, the Street Inspector, accompanied by the Sub-Sanitary Officer of the Poor Law Board, visited a house in St. Michael Street, occupied by emergency men, who had strewn over

the floor of one room in the front of the house a layer of bones several inches thick which emitted a bad odour; and whether the Chief Secretary will instruct the police to allow the Street Inspector to do his duty unmolested by the police, and will take steps to have the nuisance complained of removed by the police while they are in charge of the emergency men?

MR. A. J. BALFOUR: The Constabulary Authorities report that about the 17th of May the police ordered two night watchmen, who were on the street at 5 p.m., obstructing the footway, to move on. That on 19th inst., a day watchman, who styles himself town sergeant, was on the footway with a number of other men causing an obstruction. They were told to move on by the police, which they all did except the man referred to. His name was taken. On 12th May Constable Guinane did impound a restive horse, which he found on the street without any one in charge. No other horse or car impounded on that date. Emergency men did not strew bones over the floor of a room, but a quantity of perfectly dry bones are under the flooring, which has lately been ripped up, where they have apparently lain for years. No odour whatever arises from them.

MR. T. M. HEALY (Longford, N.): Have the police power to order this man to move on when he was performing his duty?

MR. A. J. BALFOUR: I am told he was not engaged in his duties.

MR. T. M. HEALY: Are the police to be the judges as to whether he is doing his duty?

MR. A. J. BALFOUR: Their action must depend entirely on whether he is obstructing the streets or not.

MR. T. M. HEALY: Why should the police have authority over an official appointed under the Towns Act? Can they have such authority?

MR. A. J. BALFOUR: If the hon. and learned Member will put his question down, I will inquire.

THE OLPHERT ESTATE.

MR. DALTON (Donegal, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, in the course of the hearing of the charge against Conaghan, the bailiff of the Olphert Estate, for presenting his revolver in a drunken fit at one Peter M'Ginley, the defence made by Conaghan was that he had been assaulted by M'Ginley, and that he swore that the blow he received "felled him to the ground, rendering him unconscious," thereby proving that the presenting of the revolver by him must have been before the alleged assault; whether the following report in the *Derry Journal* of 18th June instant, of the Judgment of the Court consisting of two Resident Magistrates, is correct—

"The Court commented strongly upon Conaghan's conduct in going about the country carrying a revolver in a threatening attitude, protected as he usually is by a strong body guard of police, and, to mark their sense of the outrage, they ordered Conaghan to be bound to keep the peace for 12 months;"

and whether the licence to carry arms granted to Conaghan will be revoked?

MR. A. J. BALFOUR: I am informed that the defence made by Conaghan was that, being threatened by M'Ginley, he attempted to draw his revolver, but that before he could do so he was knocked senseless by M'Ginley. I am further informed that the newspaper report is not correct, except as to the fact that Conaghan was bound to keep the peace for 12 months for giving M'Ginley provocation. The revolver was unloaded, and Conaghan had no ammunition on his person that day. The Resident Magistrate sees no reason why his licence should be revoked for producing an empty revolver.

MR. DALTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to a paragraph in the *Derry Journal* of the 23rd June, which describes an attack made by Mr. Hewson, agent to the Olphert Estate, Donegal, upon a number of men and women who were engaged in collecting seaweed upon the strand at Maherearty on the 21st June, in which it is stated that

"The agent Hewson, who was accompanied by military and police (on their way back from attending evictions on the Olphert Estate) made a descent upon the people. The women and boys, who were engaged to their waists in the water catching the drift from the receding waves, fled when they saw the agent approaching. The wheel of one of the carts came off, and while Hewson was grappling in the water with the driver the other carts were galloped rapidly to the shore hotly pursued by the agent;"

whether the police, returning from eviction duty, had any authority to assist the agent in harrassing these men and women engaged in saving seaweed on the sea-shore; and what steps he proposes to take in the matter?

MR. A. J. BALFOUR: I am informed that the report in the newspaper mentioned is altogether inaccurate. Mr. Hewson made no attack upon the people. The constabulary and military were not with him. There were three constables protecting a bailiff, but they did not interfere.

MR. DILLON (Mayo, E.): Is it lawful for the agent or the landlord to prevent the people by force collecting seaweed floating in the sea.

MR. A. J. BALFOUR: I am not aware that any force was used. I gather there was not.

CONDUCT OF POLICE AT EVICTIONS.

MR. DALTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the police engaged upon eviction duty on the Olphert Estate, Donegal, on the 19th and 20th of June instant, sang in chorus on their march back each evening to their barracks, "Glory, Glory, Hallelujah"; and whether he will give orders to stop such proceedings in future?

MR. A. J. BALFOUR: The song in question, which relates to John Brown, is, I am informed, a perfectly respectable one, and I see no reason to interfere.

MR. DILLON: Do you see no reason to interfere with the police coming home from evicting poor people singing in chorus as if they were rejoicing over their work?

MR. A. J. BALFOUR: There is no case of rejoicing in the matter. It is the practice in the Army after a long and heavy day to allow men to sing.

MR. DILLON: I must press the question whether the right hon. Gentleman considers that it is calculated to preserve the peace, or calculated to lead to a breach of the peace, that the police should be allowed to sing this joyous chorus after performing a most provocative duty, and whether he considers that there is any analogy between soldiers singing a chorus on the march and the Irish Police singing a chorus when they come away from an eviction?

MR. A. J. BALFOUR: There is this analogy—that in both cases men who have been on duty have a long and laborious march. These men were not singing in the neighbourhood of the evictions, as far as I understand. If they were, of course the practice would be objectionable; but why men who have long marches to perform after a day's work should not be allowed a little relaxation on the way I really cannot understand.

MR. T. W. RUSSELL (Tyrone, S.): May I ask whether they were not singing a chorus composed by one of the hon. Members for Dublin?

MR. SEXTON (Belfast, W.): That statement is false. But I would really appeal to the right hon. Gentleman whether, seeing that evictions involve the keenest suffering, pain, and excitement, he does not think that the singing of joyous songs by the police returning from them is not calculated to provoke the temper of the people of Ireland, and whether, therefore, he will not discourage the practice?

MR. A. J. BALFOUR: Whether it is provocative or not entirely depends on the circumstances of each case. I do not see anything particularly triumphal or cheerful in this song; but if the police were to sing cheerful songs in the immediate locality of an eviction, I think that might be a provocative proceeding, and one which should not be allowed; but when they have placed a distance between themselves and the scene of evictions, why they should not be allowed to sing on the march I cannot understand.

MR. J. O'CONNOR: At the Ponsonby evictions were not the Caledonians ordered by Colonel Turner to play the bagpipes on the march every day for a fortnight?

MR. A. J. BALFOUR: That question refers not to the police, but to the soldiers, and might perhaps be addressed to the Secretary of State for War.

THE CASE OF SERGEANT LORD.

MR. P. J. O'BRIEN (Tipperary, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can now afford the information as to the result of the inquiries made by the Inspector General of Constabulary into the charges of forgery and fraud against

Sergeant Lord, of Lorrha; whether he has inquired if the facts are, as alleged by the complainant, Mr. Maher, that the money denied to be due to him by Lord was subsequently offered to him by Mr. Doolan, J.P., and on another occasion by Constable Edwards, of Carrigahorig; and whether, in view of such presumptive evidence that the amount claimed was due, and that the sergeant was guilty of fraud on the Police Authorities by returning as a voucher a forged receipt for the money, the Government will direct the Attorney General to consider the case?

MR. A. J. BALFOUR: The Constabulary Authorities report that it has now been ascertained from Mr. Doolan, J.P., that as he personally knew both the sergeant and Mr. Maher he at his own suggestion intervened in a friendly way in order to save trouble and legal proceedings. The constable named did not on any occasion offer the money as alleged. The County Inspector is still inquiring into the matter, but there is nothing as yet in what has been reported to the Inspector General to render it necessary to seek advice from the Attorney General.

MR. SEXTON: If evidence is forthcoming that the allegation is true, what will be done with the Magistrate who has thus disgraced the Bench?

MR. A. J. BALFOUR: I understand that the statement is without foundation.

MR. SEXTON: Evidence will be forthcoming that the man committed this forgery.

MR. A. J. BALFOUR: If there has been forgery committed, I presume the evidence will be heard before the authorities.

MR. SEXTON: That was done three months ago.

THE LEASEHOLDERS (IRELAND) BILL.

MR. M'CARTAN (Down, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware of the universal feeling of leaseholders of agricultural holdings in Ireland in favour of the Leaseholders (Ireland) Bill, introduced by the hon. Member for the Scotland Division of Liverpool, and on the Orders of the Day for Second Reading to-morrow; and whether, considering the resolutions in support of the object of the Bill which have been passed in almost every district in Ulster, he will now consent to afford facilities for passing this Bill into law during the present Session?

MR. A. J. BALFOUR: I have nothing to add to that I said in answer to the Member for the Scotland Division, namely, that, apart from other objections, I think a conclusive objection to the suggestion is to be found in the present state of public business.

BONFIRES AT CASHEL.

SIR T. ESMONDE (Dublin Co., S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland is he aware that on St. John's Eve the police, armed with batons and blackthorns, prevented a number of children from lighting the usual bonfires at Cashel; and, if so, upon what grounds and by what right did they thus interfere with this ancient custom, and by what authority?

MR. A. J. BALFOUR: If the hon. Member has in mind certain occurrences at Cashel on Monday night last, I have to say that what the police interfered to prevent was the lighting of bonfires in the centre of the three principal streets of Cashel. The people were told to move them into a more suitable position—which they did.

MR. FLYNN (Cork, N.): Is the right hon. Gentleman aware that at that time of night the streets of Cashel would be perfectly destitute of traffic, and that, therefore, there would be no obstruction?

ARREST AT YOUGHAL FAIR.

MR. FLYNN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, in reference to the arrest of Mr. James O'Brien, of Killeagh, at last Youghal (County Cork) Fair, if he can now state what charge was preferred against this gentleman; is it a fact that he was charged with jostling a policeman who was shadowing him through the fair; and why was Mr. O'Brien arrested in a summary manner, and not summoned in the ordinary way.

MR. A. J. BALFOUR: The Constabulary Authorities report that the man was arrested on the charge of obstructing Constable Quinn in the execution of his duty, and for conduct calculated to lead to a breach of the peace. It is not a fact that he was charged as alleged in the second paragraph. He was arrested

because, owing to the persistency of his conduct, the constable was unable to discharge his duty.

MR. FLYNN: Will the right hon. Gentleman state definitely what was the charge against Mr. O'Brien?

MR. A. J. BALFOUR: I have done so; he was charged with obstructing the police, and his conduct was calculated to lead to a breach of the peace.

MR. FLYNN: Why was he not summoned in the ordinary way, instead of being arrested?

MR. A. J. BALFOUR: I have already said that because of the persistency of his conduct the constable was unable to discharge his duties.

MR. DILLON: What duty was the constable discharging?

MR. A. J. BALFOUR: I must have notice of that question.

MR. FLYNN: Is there any doubt in the right hon. Gentleman's mind that he was shadowing Mr. O'Brien?

MR. A. J. BALFOUR: I cannot say that. I have no doubt he was watching boycotting at the fair, but I cannot say if he was following this particular man.

THE NEW LICENCES BILL.

MR. T. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if the Government propose to support the Amendment of the hon. Member for South Tyrone to omit Clause 3 from the "New Licences Bill," or will they consider the necessity which arises for some temporary licensing power by reason of such cases as that of James Blayney, of Lurgan, where, after premises being licensed for 70 years, a transfer was refused by the local bench because the applicant was a Catholic; and do the Government intend to shut out such applicants from all possibility of obtaining renewals?

MR. A. J. BALFOUR: Perhaps the hon. and learned Gentleman will defer his question until the Bill is considered. The refusal of the transfer had nothing to do with religion.

MR. T. M. HEALY: I give notice that I will not proceed with the Bill, which would simply be made an instrument of oppression against my co-religionists, unless some such clause as Clause 3 were adopted.

MR. T. W. RUSSELL: I beg to give notice that when the Bill is considered I shall move the omission of Clause 3.

MR. T. M. HEALY: No one is afraid of the opposition of the hon. Member.

CHARGES AGAINST THE POLICE.

SIR THOMAS ESMONDE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any report has been made by the police officer of Gorey district to the Police Authorities in Dublin Castle against Police Sergeant Jervis, of Gorey, for drunkenness in the public streets in January last; if so, what action has been taken by the authorities in reference to the charge; and also, if he is aware that a police constable from Courtown, County Wexford, recently left with Mr. William Bolyer, tailor, of Gorey, material for a suit of plain clothes, for which he was measured; whether, subsequently, this constable was ordered by Head Constable M'Cormack, his superior officer, to cancel the order and take away the stuff; and, if so, what was the reason for the head constable giving such an order; and whether the sub-constable has cancelled the contract?

MR. A. J. BALFOUR: I am sorry I must ask the hon. Baronet to defer his questions, as I have not been able to get the information.

OUTRAGES IN TIPPERARY.

MR. T. W. RUSSELL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the report in the *Daily Express* of Monday, the 23rd instant, to the effect that a young man, named James Sadleir, was fired at on Friday night, on returning to his home from Tipperary, is accurate; whether the report that Sadleir has been "frequently threatened" is true, and whether there is any evidence to prove that his unpopularity in the district is in any way due to the fact that his family has refused to join in the no-rent policy adopted against Mr. Smith-Barry; and if the police have made any report on the matter?

MR. A. J. BALFOUR: The facts as to this outrage appear to be as described in the question. Mr. Sadleir and two friends complained to the police on the night of the 20th inst. that they had been attacked with stones and fired at.

The police fully reported the matter. There can be no reasonable doubt that the cause of Mr. Sadleir's unpopularity is that he and his family have refused to join in the combination against Mr. Smith-Barry.

MR. T. W. RUSSELL: Has the right right hon. Gentleman received information that last night an explosive machine was thrown into the shop of a boycotted man in Tipperary?

MR. A. J. BALFOUR: It is the fact such an outrage has been committed.

MR. SHEEHY (Galway, S.): Is there any other shopkeeper in Tipperary of the name of the man into whose shop this explosive is said to have been thrown?

MR. A. J. BALFOUR: Yes, Sir; there is a shopkeeper of the name of Duggan.

MR. SHEEHY: No, there is not.

MR. A. J. BALFOUR: There is.

MR. J. O'CONNOR: Is there any ground for the statement of the hon. Member for South Tyrone except the assertion of Sadleir? Have the police been able to trace the shots said to have been fired?

MR. A. J. BALFOUR: No doubt the police have investigated the matter.

LADY BURNETT'S SCHOOL, BANCHORY.

MR. ESSLEMONT (Aberdeen, E.): I beg to ask the Lord Advocate whether, with reference to Lady Burnett's School, Banchory, it is the case that the school is being managed by one Governor, who, under the recently sanctioned scheme, is the only one who is in the meantime capable of acting; whether, by Article 17 (h) of the Scotch Code, 1890, it is necessary before the Government grant can be paid that there should be at least three Governors to every school not a Board school; and whether, in the above circumstances, it is the intention of the Scotch Education Department to refuse any further grant to the school until steps are taken to make such an alteration on the scheme as will satisfy the requirements of the Code?

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I understand that, owing to circumstances, only one Governor is now acting under the scheme recently sanctioned for the Lady Burnett's School. Article 17 (h) of the Scotch Code requires that three persons should designate one of their number to sign the receipt for the grant to the school. One Trustee and two other Managers have hitherto acted under this provision of the Code, and we have not been informed that there has been any change in this respect. The question of a grant to the school must be decided after careful examination of the usual Returns at the time when the grant falls conditionally due. The Department cannot commit themselves to any decision beforehand, nor are they prepared at present to say that any alteration in the scheme is necessary to satisfy the requirements of the Code.

SCOTCH SCHOOL BOARD ELECTIONS.

MR. SHIRESS WILL (Montrose): I beg to ask the Lord Advocate whether he is aware that the triennial election of School Boards throughout Scotland will take place next year; and whether, in view of that fact, the answer of the Secretary for Scotland to the deputation of about 30 Scottish Members on the subject of the School Board Election (Scotland) Bill, promised by himself on the 28th March to be given on an early day, and again promised by the Lord Advocate in this House on the 22nd May to be given "shortly after Whitsuntide," and again promised by the Lord Advocate in this House on the 16th instant to be given on Friday the 20th instant, will now be given; and, if not, what is the explanation of the delay?

MR. J. P. B. ROBERTSON: The Government are not prepared to give time for the discussion of the hon. and learned Member's Bill, nor can they add to the number of controversial Bills now before the House. They are, however, prepared to bring in a Bill of one clause assimilating the franchise for elections of School Boards to the franchise for elections of County Councils and Town Councils, and to pass it after 12 o'clock, should it meet with general approval.

THE CONVICT WRIGHT.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary of State for the Home Department whether he will state the number and character of the punishments inflicted on the convict Wright during his confinement in Portsea Prison; and whether he will

order an inquiry into the mental condition and responsibility of this convict by a medical man independent of the Prisons Board?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am informed by the Prison Commissioners that this convict has been reported 52 times and punished 50 times. The punishments include dietary punishment, close confinement, loss of class privileges and remission, and corporal punishments which has been inflicted once. He is reported to be of sound mind. There is no reason to question the competence of the medical officers attached to the Prison Department to give a correct opinion on the question of a prisoner's condition of mind. I do not propose to order a special inquiry in this case; but I have given instructions that the mental condition of the prisoner shall be closely watched.

THE METROPOLITAN POLICE.

MR. DIXON-HARTLAND (Middlesex, Uxbridge): I beg to ask the Secretary of State for the Home Department if he could state the number of Metropolitan Police usually employed in the County of Middlesex outside the County of London?

MR. MATTHEWS: I am informed by the Commissioner that the number of men so employed is 1,324.

MR. PICKERSGILL: I beg to ask the Secretary of State for the Home Department what orders or instructions have been given by the new Commissioner of Police as regards the prohibition of meetings of constables to discuss the questions of their pay or pensions?

MR. MATTHEWS: I am informed by the Commissioner of Police that no new general orders have been given as regards the prohibition of meetings of constables to discuss questions of pay and pension. The superintendents have been instructed to remind their men of the Standing Orders, prescribing the manner in which representations on these subjects should be made. An order was issued last night, in which, in reply to several Petitions, the Commissioner declined to allow a meeting of Representatives of divisions to be held in Bow Street, as being contrary to the best interests of the men, and the efficiency of the force. At the same time he declared his willingness to receive any representations from members of the force through the authorised channels, and to give them his best attention.

*MR. PICKERSGILL: Is it not a fact that the Superintendents were permitted to meet for the objects indicated in the question, and is not the same privilege to be accorded to the rank and file?

MR. MATTHEWS: I should like to have notice of the question if the hon. Member wants a full answer, but my recollection is that the Superintendents were directed to ascertain the wishes of the men in their respective divisions, that course not being deemed contrary to the Standing Orders.

MR. JAMES ROWLANDS (Finsbury, E.): Why are the men thus to be suddenly deprived of the power of discussing their grievances?

MR. MATTHEWS: No new Regulation has been issued; their attention has only been called to existing Rules.

MR. J. ROWLANDS: Is it a fact that another meeting which has been called has been prohibited?

MR. MATTHEWS: I must ask for notice of that question.

MR. WARRY, Q.C.

MR. CRILLY (Mayo, N.): I beg to ask the Secretary of State for the Home Department whether he has seen the report in the *Daily News*, of the 24th inst., of the case of a man named Jones, who was tried before Mr. Warry, Q.C., at the London County Sessions sitting at Clerkenwell, charged with stealing a purse containing 2s. 4d., and, on conviction, was sentenced by Mr. Warry to 10 years' penal servitude, and from which it appears that the prosecution failed to prove that Jones was seen to take the purse or ever had it in his possession; and if he will consider the advisability of remitting some portion of this sentence; and I may also ask him if he is aware that this Magistrate has to-day sentenced another man to 10 years' penal servitude for stealing an overcoat?

MR. MATTHEWS: I am not in possession of any particulars with regard to these cases, but I will make inquiry at once.

MR. CRILLY: I will repeat the questions.

RAILWAY TELEGRAMS.

MR. JOHN ELLIS (Notts, Rushcliffe): I beg to ask the Postmaster General what number of messages were sent by the Telegraphic Department during 1889 on account of the railway companies, free of charge to them; and, having regard to the evidence of the Superintendent of Telegraphs before the Revenue Estimates Committee, in 1888, that this transmission of free messages had increased from 97,000 in 1871 to 961,000 in 1887, entirely at the public expense, whether he has been able in any way to check or diminish this growing charge on the National Exchequer?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): The number of telegrams transmitted free of charge for the railway companies in the year 1889 was 1,244,000. The subject of the hon. Member's question is engaging my careful attention, and the legal proceedings to which I referred in answer to a question on the 31st March last are still pending.

POSTAL CHARGES IN SCOTLAND.

COLONEL MALCOLM (Argyllshire): I beg to ask the Postmaster General whether he is aware that great dissatisfaction is caused by the postal charges made on the official forms rendered necessary by the Local Government (Scotland) Act, and that the difficulty of carrying out that Act in scattered counties is enormously increased by the action of the Postal Authorities therein, 900 Schedules having been returned in one county alone; and whether he will issue such instructions as may put an end to this grievance?

*MR. RAIKES: A difference of opinion has for some time existed as to how far these forms can be held to comply with the existing Regulations regarding book-rate postage, but alterations in the Regulations have been suggested, and I am at the present time in correspondence with the Treasury on the subject. I am decidedly of opinion that if the present doubts cannot be satisfactorily cleared up no time should be lost in so amending the Regulations as to make it no longer a matter of question how far these forms are entitled to pass at the book-rate.

THE ANGLO-GERMAN AGREEMENT.

MR. FRANCIS STEVENSON (Suffolk, Eye): I beg to ask the First Lord of the Treasury whether he is aware that of recent years German newspapers, partly non-official and partly semi-official, in discussing the possibility of the cession of Heligoland, have repeatedly given expression to the desire, which is widely entertained in military circles in Germany, that the island should be converted into a high-class fortress similar to Kronstadt; whether, in view of the limited area of the island, a scheme of that description would of necessity involve the dispossession of the inhabitants, and consequently be injurious to the interests of the fishermen from the East Coast of England, who are now able to make use of Heligoland for various purposes connected with their industry; and whether the Government will consider the desirability of arriving at an understanding with Germany that in the event of the cession taking place no such scheme shall be carried out?

MR. SUMMERS (Huddersfield): I beg to ask the First Lord of the Treasury whether the Government will consider the advisability of stipulating, in the event of Heligoland being ceded to Germany, that the island shall not be converted into a naval fortress, and that the islanders shall be permanently exempted from military service?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): No conditions with respect to the fortifications of the Island of Heligoland can be made, as the German Government must obviously be left to decide on the measures necessary for the defence of its own coasts. Her Majesty's Government are in communication with the German Government with a view to the adoption of measures for the protection of British fishing interests and the immunity of the present inhabitants from conscription.

*MR. CHANNING (Northampton, E.): Is the right hon. Gentleman aware that, if fortifications and naval works are constructed by the Germans on so small an area, it will practically amount to an order to the inhabitants to leave the island?

*MR. W. H. SMITH: No, Sir; I am not aware of that fact.

*Mr. CHANNING: I beg to ask the First Lord of the Treasury whether the Prime Minister is correctly reported, at the Merchant Taylors' Company's Dinner on 27th May, to have laid down as the canon of his policy as regards the surrender or the acquisition of territory that these are questions on which the public opinion of England and the full assent of Parliament should be previously obtained; whether, the opinion of Parliament will be taken on the Cession of Heligoland Bill before the Treaty is signed by the Representative of Great Britain; and whether having regard to the declarations of the Prime Minister, an opportunity will be given to this House to discuss the whole of the arrangements come to between Great Britain and Germany before the Treaty is signed?

*Mr. W. H. SMITH: The Treaty will be drawn in such terms as to be conditional on the passing of the Bill. I understand that the Question does not convey an accurate representation of the remarks of my noble Friend; but as to any remarks he may have made, it would be more convenient that the question should be addressed to him in the House where he sits. I may add that any engagement of the nature indicated will be fulfilled by the submission of the Bill to Parliament, on which the whole Agreement depends.

Mr. HANBURY (Preston): I beg to ask the First Lord of the Treasury whether any Reports from the Naval or Military Authorities, as to the proposed cession of Heligoland, will be laid upon the Table in time for the discussion on the Bill which is necessary to carry the cession into effect?

*Mr. W. H. SMITH: Confidential Reports of naval and military men upon strategic questions could not conveniently be published.

Mr. SUMMERS: I beg to ask the First Lord of the Treasury whether he will inform the House what steps have been taken by the Government to ascertain the views of the inhabitants of Heligoland on the proposed cession of the island to Germany?

*Mr. W. H. SMITH: The arrangement cannot be made dependent upon a popular vote. The possession of the island was acquired without the consent of the people, and Her Majesty's Government fulfil their duty towards them by securing to all now living exceptional privileges. We have every reason to believe that their interests will in no way suffer by the change of Sovereignty.

Mr. SEXTON: Has the attention of the right hon. Gentleman been drawn to a series of letters in the *Pall Mall Gazette* to the effect that they can find no one in the island who is in favour of the transfer?

*Mr. W. H. SMITH: If the hon. Gentleman will be good enough to draw my attention to the *Pall Mall Gazette*, I shall be glad to give him an answer, but he will not be surprised to hear that I am not able just now to read many newspapers.

Mr. BRYCE (Aberdeen, S.): The right hon. Gentleman says that communications are passing with the German Government with regard to the immunity of the present inhabitants of Heligoland from military service. We understood that that was one of the points stipulated in the original Agreement that no one now living should be compelled to serve. Is that point still open to discussion?

*Mr. W. H. SMITH: The hon. Gentleman is quite right in drawing my attention to the language. There is an undertaking on the part of the German Government that all the present inhabitants of Heligoland shall be exempt from military service.

Mr. BRYCE: Then on what point, may I ask, are further communications with regard to military service passing?

*Mr. W. H. SMITH: The hon. Gentleman will be aware that it is necessary to put these undertakings into diplomatic language.

NATIONAL GALLERY FOR BRITISH ARTISTS — MR. TATE'S PROPOSALS.

Mr. WHITMORE (Chelsea): I beg to ask the Chancellor of the Exchequer whether the Government are willing to entertain the proposals and assist the scheme, suggested by Mr. Henry Tate in his letter to the Chancellor of the Exchequer, dated 17th June instant, for the establishment of a National Gallery of British Art?

Mr. WOOTTON ISAACSON (Tower Hamlets, Stepney): On the same subject I will ask the First Lord whether Her

Majesty's Government have come to any decision as to the acceptance of Mr. Tate's offer of pictures?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The views of the Government with reference to Mr. Tate's offer had been communicated to that gentleman in a letter sent yesterday from the Treasury, and this letter would probably be published. If Mr. Tate's most generous offer was not accepted at once, it was not owing so much to want of space in the National Gallery as to the fact that Mr. Tate rather insisted on the condition that his pictures should be kept together as a separate collection, and such a condition was rather at variance with the regulations that were generally observed at the National Gallery. The Government were extremely grateful to Mr. Tate for his munificent offer, and sincerely hoped that they might be able to accept it. Discussions were being held now as to the allocation of the eastern and western galleries at South Kensington to the purposes of a gallery for British Art. These galleries were well lighted and were fireproof. On this subject he had himself been in communication with the Commissioners of the Exhibition of 1851, the Trustees of the National Gallery, and Sir Frederick Leighton. Mr. Tate attached at present certain conditions of management to his offer of his pictures which it might be difficult, if not impossible, to accept; but he trusted that when Mr. Tate should see that arrangements had been made for the establishment of a gallery for British artists at South Kensington, he would think fit to present this valuable collection of pictures, as originally proposed, to the nation.

TRUST FUNDS INVESTMENTS.

MR. P. M'DONALD (Sligo, N.): I beg to ask the Chancellor of the Exchequer if he has yet considered the Report of the Departmental Committee on the question of permitting Trustees to invest Trust Funds in colonial securities; and, if so, what conclusion has been come to?

MR. GOSCHEN: It will be obvious to the hon. Member that whatever conclusion I may come as to the Report of the Committee, legislation on the subject of Trust Funds investments in colonial securities is impossible this Session.

THE KILLYBEGS LIGHT RAILWAY.

MR. CLANCY: I beg to ask the Secretary to the Treasury whether the West Donegal Railway Company, which is promoting and proposes to work the Killybegs Light Railway Line, possesses any rolling stock, and whether its own line is worked by the Finn Valley Railway Company at a loss to the latter body; whether, before deciding to make a grant in favour of the Killybegs line, he will take into account the inadvisability of allowing that line to be worked by a company which will be constantly under the temptation in its traffic arrangements to benefit its own shareholders at the expense of the ratepayers, who will have to guarantee any loss that may occur in respect of the working expenses of the proposed new line; whether the Killybegs and Baltimore Light Railway lines have got any precedence over the other schemes projected under the Act of last year; and, if so, on what grounds; and whether it is intended to put up to competition the engineering as well as the construction of the light railway lines which may be finally sanctioned by the Treasury?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I am informed that the rolling stock belongs to the West Donegal Company, although the line is worked under an agreement by the Finn Valley Company. The Finn Valley Company works the line for a percentage of the gross receipts, guaranteeing a minimum payment to the West Donegal Company, and up to the present the balance over the working expenses has not reached the minimum. The prospects have, I believe, improved since the line was completed into Donegal. I will certainly carefully consider how to secure that the Killybegs line is credited with its full share of the receipts and debited only with its proper share of expenditure in order to safeguard the interests of the county. The Killybegs line has got no precedence over other lines beyond the fact that they have made more progress with the proposals which they submitted to the Treasury. It is not intended to put up to competition

the preparation of the plans and working drawings, but care will be taken that the scale of payments for the plans shall be a reasonable one.

MR. CLANCY: Is it not a common practice to put up the engineering as well as the construction of these lines to competition, and is Mr. Barton, the promoter and engineer of this line, to be the only person with whom there shall be no competition?

MR. JACKSON: I should think it is not customary to put up the engineering to competition, because, until a plan has been prepared, no presentment can be made by the Grand Jury.

THE LONDON COMPANIES.

MR. HOWELL (Bethnal Green, N.E.): I beg to ask the Secretary to the Treasury whether the Government will consent to grant the Return as to the income and expenditure of the Corporation of the City of London, the Irish Society, the twelve great companies, &c., mentioned in the notice on the Paper for this day?

MR. JACKSON: It is not in my power to provide the information.

THE BUTTER TRADE.

MR. LANE (Cork Co., E.): I beg to ask the President of the Board of Trade whether his attention has been called to the following statement in the *Grocer* of this week:—

"Nurdin and Peacock *v.* Hornet.

"The Falaise Tribunal sentenced Vitard to one month's imprisonment and a fine of £40, and Hornet, his accomplice, to a fine of £8, the Judgment to be inserted at their expense in several newspapers, and to be posted at the Town Hall, and also on the doors of Vitard's and Hornet's residences;"

whether he is aware that this sentence was inflicted (at the prosecution of the French Authorities acting upon evidence given at Bow Street Police Court) for having sold adulterated French butters as pure butters to an English firm; is he aware that a merchant was fined £10 and costs, at the Westminster Police Court last Thursday, for selling butter adulterated with 25 per cent. of foreign fat, though the Magistrate admitted that he proved to the complete satisfaction of the Court that he had bought and paid for it as pure butter, and that every package was imported direct from Belgium, branded, and guaranteed pure butter; is he aware that the value of British and Irish dairy produce has been reduced this year by about 30 per cent. under its normal value, owing to this unfair competition with adulterated foreign butter; and whether, under these circumstances, he will co-operate with the French Government in suppressing this traffic, by instructing the Custom House officials at the various ports where foreign butters are landed, to enforce the powers conferred on them by section 8 of the Margarine Act of 1887?

MR. JACKSON: The attention of the Board of Customs has been called to the statement made in the *Grocer* in regard to certain persons having been convicted in France for adulterating butter and to the proceedings at Westminster Police Court, but they have no official knowledge of the circumstances. Large quantities of margarine are imported into this country from the Continent, and the Board are not aware that it is described as butter. I am unable to say whether there has been such a reduction as the hon. Member describes in the value of British and Irish dairy produce or that it is due to competition with adulterated foreign butter. The powers conferred upon the Customs Officers by Section 8 of the Margarine Act, 1887, is limited to the taking of samples, and the officers would have no authority under that Act to detain the goods. The examination by analysis of all imported butter by the Customs Officers would not only involve a large increase in the present staff, but it would also cause much delay in the delivery of a perishable article and lead to much friction and inconvenience to the trade. I am, however, sending a copy of the hon. Member's question with a copy of this reply to my right hon. Friend the Chairman of the Select Committee on Merchandise Marks. It may be that his Committee has taken evidence on the subject.

DAMARALAND.

MR. SUMMERS: I beg to ask the Under Secretary of State for Foreign Affairs whether he is aware that the last accounts rendered by the German Company in Damaraland showed that on the 1st of August of last year the whole of the assets of the company amounted to

110,000 marks, or a little over £5,000; and whether he is able to give the House any later information with regard to the financial position of this company?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): We have no information on this subject.

THE EAST AFRICAN AGREEMENT.

MR. BRYCE: I beg to ask the Under Secretary of State for Foreign Affairs what part, if any, of the mainland of East Africa south of the point on the coast where the British and German "spheres of influence" meet is included in the "Sultanate of Zanzibar," over which according to Lord Salisbury's Despatch, it has been agreed that Her Majesty shall assume a Protectorate, or is it to be understood that all such part of the Sultanate as lies on the coast of the mainland from the above-mentioned point southward to as far as Cape Delgado is to be transferred to the Protectorate of Germany?

SIR J. FERGUSSON: I stated on the 20th inst. that the dominions of the Sultan of Zanzibar, with the exception of the strip of coast farmed out to the German East Africa Company, were included in the proposed British Protectorate. The coast is south of the point where the British and German spheres of influence meet, and is not included. I should add that the Island of Mafia, lying off this coast, will probably not be included in our Protectorate in case of Germany arranging with the Sultan for its inclusion in the territory to be ceded to her.

MR. BRYCE: Then the point put in my question is correct?

SIR J. FERGUSSON: That is so.

RUMOURED MASSACRE OF CHRISTIANS AT KOSSOVA.

SIR J. FERGUSSON: The hon. Member for South Aberdeen lately asked me regarding an alleged massacre of Christians by Arnauts in the vilayet of Kossova, in Albania. The Consul General at Salonica has spontaneously reported, upon seeing the statement in question in certain Continental newspapers, that he had made inquiry of railway officials arriving from places in that district, who declared that they had heard of no such event. Her Majesty's Minister at Belgrade, while mentioning that complaints had been made of oppression by turbulent Albanians on their Christian neighbours, does not refer to any allegations of murders.

MR. BRYCE: Cannot further steps be taken to ascertain the truth, seeing that Salonica is 200 miles away from the place where the massacres are alleged to have occurred?

SIR J. FERGUSSON: The Consul General cannot travel that distance; he can only make such inquiries as he has made.

CRETE.

MR. SCHWANN (Manchester, N.): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been drawn to a telegram in the *Daily News* of the 24th instant, which states that—

"A Memorandum has been presented by the Christian population to the Consuls of Foreign Powers at Canea, containing a number of complaints. The Consuls of Austria, Hungary, and Italy declared to the deputation which presented the Memorandum that they would use contents as material for private information. The British Consul, Mr. Billiotti, refused to receive the Memorandum altogether, saying his own information was sufficient for him to know all the Cretans were in need;"

whether his attention has been called to a telegram in the *Manchester Guardian* of 21st June, in which it was stated that the Governor of Crete had determined to re-introduce Courts Martial into the island; and whether he has received information of the existence of such a state of affairs as would warrant the adoption of these measures?

SIR J. FERGUSSON: The Memorandum referred to was left at the house of Her Majesty's Consul when he was out, and was sent back to the petitioners by him the next day as not being a document which, in his position of Consul, he could properly receive, seeing that it called for his official intervention in matters on which the petitioners had addressed the Vali, and that his acceptance of it would probably have led the petitioners to believe that Her Majesty's Government would interfere when there was no reason to suppose that the Vali would not give due consideration to their representations. Her Majesty's Govern-

ment are not aware of any intention on the part of the Vali to re-establish Courts Martial.

THE NEWFOUNDLAND FISHERIES.

MR. W. REDMOND: I beg to ask the Under Secretary of State for Foreign Affairs whether he is in a position to give the House any information regarding the alleged conflict between French and Newfoundland fishermen?

SIR J. FERGUSSON: Inquiry has been made by telegraph, and the Governor of Newfoundland has replied that nothing is known of the rumour of a conflict between French and Newfoundland fishermen.

THE EGYPTIAN EXILES AT CEYLON.

MR. LABOUCHERE (Northampton): I beg to ask the Under Secretary of State for Foreign Affairs whether a Memorial has been received from the Egyptian exiles at Ceylon, enclosing medical certificates showing that their health is seriously affected by the dampness of the climate, and expressing a hope that, under the circumstances and in view of their exile having lasted seven years, Her Majesty's Government will urge the Egyptian Government to allow them to return to Egypt; and stating that, if this permission be accorded to them, they will pledge their honour to abstain from taking any part in public affairs, to do which, they add, they can have no object, as the grievances which they formerly complained of have been fully redressed; and, what action Her Majesty's Government proposes to take in respect to this Memorial?

SIR J. FERGUSSON: The Memorial referred to reached the Foreign Office to-day and has not yet been considered.

STAMPS FOR INDIA.

MR. HANBURY: I beg to ask the Under Secretary of State for India what sum is annually paid by the India Office to the Inland Revenue Department in connection with the control of stamps and stamped paper for India, and on what terms; whether the India Office receives any detailed statement of the manner in which that sum is expended, and whether any portion of it remains unexpended upon the special purpose for which it is paid?

Sir J. Fergusson

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The sum is £3,480, appropriated as follows (1):—Personal allowances to certain Revenue Officers, £590; (2) Contributions towards superannuations, £100; (3) payments to Imperial Exchequer for miscellaneous services of Inland Revenue Officers during official hours, and not covered by the personal allowances above, £300; (4)s alaries and expenses of Supervising Staff, £2,490. Detailed statements are received as to items (1) and (4), but not as regards the others. No portion remains unexpended.

INDIAN TELEGRAPHISTS.

MR. BRADLAUGH: I beg to ask the Under Secretary of State for India whether it was with the sanction of the Secretary of State that the rule of the Telegraph Department of the Government of India, which laid down that where quarters could not be provided in the respective telegraph buildings for signallers, such signallers, both European and Indian, should have house rent allowance on a given scale, was changed; whether it was with his approval that while the allowance was continued to Europeans it was stopped for Indians, and whether there is any difference in the duties performed by European and Indian signallers which would justify the withdrawal of these allowances; and, if there be no difference, whether he will give instructions to the Government of India to restore to the Indian signallers the house allowance hitherto granted to them?

SIR J. GORST: No change has been made in the rules of the Telegraph Service in the matter referred to in the question. Native Indian signallers have never been required to reside in the telegraph buildings as their social and religious customs would forbid them doing so. They have, therefore, never been entitled to house allowance.

KASHMIR.

MR. BRADLAUGH: I beg to ask the Under Secretary of State for India when the repeatedly promised Papers relating to Kashmir will be presented to this House, and whether, in view of the present painful position of His Highness the Maharajah, the Secretary of State will at once authorise a judicial inquiry

into the grave charges made by the Government and solemnly denied by His Highness?

SIR J. GORST: I have to-day laid the Papers on the Table. The action of the Government in Kashmir has been based, not upon grave personal charges made against the Maharajah, but upon the long-continued misgovernment of Kashmir, which rendered it necessary, in the interest of the people, to put an end to chronic oppression and misrule. Neither the Secretary of State nor the Government of India, as I have several times stated in Parliament, have ever attached any importance to certain treasonable and criminal correspondence attributed to the Maharajah. It is obvious that the conduct of the Government in making such arrangements as involve the withdrawal of the Maharajah for a time on political grounds from active participation in the Government of the State cannot be made the subject of investigation by a judicial officer.

MR. BRADLAUGH: I will ask when the Papers are likely to be circulated to Members, and whether, if they disclose a different state of things from that which has just been stated, the Government will afford any opportunity for this unfortunate gentleman to repel accusations which he declares to be absolutely without foundation.

*SIR J. GORST: The distribution of Papers does not rest with me. It depends on the printing authorities of the House, over whom I have no control. With regard to the second part of the question, I think the hon. Member had better wait until he sees the Papers.

MR. BRADLAUGH: In view of the excessive gravity of the matter, as I understand the Papers, I shall avail myself of such opportunities as the Forms of the House permit unless the Government afford some opportunity to this unfortunate gentleman to answer the charges made against him.

THE CHESHIRE SALT CORPORATION.

MR. J. KELLY (Camberwell, N.): I beg to ask the President of the Local Government Board whether the Mr. John Brydone, whose name has recently been largely advertised as that of the Chairman of the Cheshire Salt Corporation, with a capital of £250,000, is at present the Inspector under the Canal Boats Acts, and in the receipt of a salary of £600 a year; whether he is aware that the Directors of that company published in the advertisement of their prospectus a letter bearing the signature of Mr. Thomas Ward, of Brookfield House, Northwich, dated 4th June, 1887, and purporting to recommend the Church Hill Estate which, in the prospectus, was described as "one of the most important salt properties in the United Kingdom," and as having been secured by the company, and that such letter of Mr. Ward has been stated by him in a letter dated the 18th instant "not to have referred to that estate, but to an entirely different property;" whether, in consequence of such second letter of Mr. Ward, the Directors of the company have been unable to proceed to allotment; and whether he will state if there is any rule as to the holding of Directorships by Civil servants?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): Prior to notice of this question, my attention was drawn to the fact that Mr. Brydone, who is an Inspector under the Canal Boats Acts, was named in the prospectus of the proposed Cheshire Salt Corporation as the Chairman of the company, and I at once called upon him for an explanation. He informed me that his acceptance of the position would not interfere with the performance of his duties as an officer of the Department, as the meetings of the Directors would be held in the afternoon or evening, and would not occupy more than one or two hours monthly. I regret that Mr. Brydone should have accepted the position referred to, and I have so informed him and intimated to him that his holding the office of Director in any public company is inconsistent with the terms on which he was appointed as an Inspector. I have no information as to the estate referred to in the prospectus, but Mr. Brydone informs me that the Directors of the company are not proceeding to allotment.

VACCINATION—ROYAL COMMISSION.

MR. BRADLAUGH: I beg to ask the President of the Local Government Board when the second Report of the

Royal Commission on Vaccination will be circulated to Members of this House?

*MR. RITCHIE: The second Report of the Royal Commission on Vaccination is now in the hands of the Stationery Office, who state that, in consequence of the number of coloured lithographed diagrams it contains, the copies cannot be issued in less than three weeks' time.

DESTITUTE IMMIGRANTS.

SIR J. COLOMB (Tower Hamlets, Bow, &c.): I beg to ask the President of the Board of Trade whether his attention has been drawn to the evidence of Inspector Holland, at the Wandsworth Police Court on the 18th instant, as to a destitute Italian family, recently arrived in this country, consisting of a father, mother, and six children, who were living in a miserable apartment, which smelt horribly, with a cat, a monkey, and several white mice, and to the further statement of Inspector Holland that within a short period 200 Italians in the same destitute condition had arrived in this country; and what steps are being taken to give effect to the recommedations of the Select Committee on the Immigration of Foreigners?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I am informed that Inspector Holland did not state that, within a short period, 200 destitute Italians had immigrated into this country. In this particular case, the family had been brought to England by one of its members who was living here, and had sent £16 to Italy to pay their passage. This person was bound over in the sum of £25 as a guarantee for the good conduct of the father of the family, who was proved to have sent a child to beg. The father stated that eight other Italian families came over with him. As regards the recommendations of the Select Committee on the Immigration of Foreigners, I can only repeat what I have already stated in reply to other hon. Members, namely, that steps are being taken to put in force the recommendations of the Committee so far as it is possible to do so without fresh legislative powers. We are obtaining a statistical record of the immigration of foreigners as regards vessels arriving at the principal ports of the United Kingdom from European ports, and we are also getting Reports from British Consuls at the chief European ports as to the emigration of destitute aliens to the United Kingdom.

*SIR J. COLOMB: Are arrangements now in operation for keeping the record?

*SIR M. HICKS BEACH: Yes.

ELECTRIC LIGHTING ORDERS.

MR. BEAUFOY (Lambeth, Kennington): I beg to ask the President of the Board of Trade, as it is contrary to practice to allow Local Authorities by one and the same Act or Provisional Order to establish gas undertakings with power to transfer them, whether he will state the reasons which have led him to depart from this practice in the case of Electric Lighting Orders which the Board have recently granted to Local Authorities?

*SIR M. HICKS BEACH: I have nothing to add to the replies I have already given in the House with reference to this matter. I have confidence in the discretion of the Local Authorites, and, with the safeguards contained in the clause referred to, I do not think the interests of the public can suffer.

MR. BEAUFOY: I beg to ask the President of the Board of Trade why the Model Electric Lighting Order, which has recently been prepared by the Department over which he presides, since it contains most unusual powers of transfer to Local Authorities, was not placed upon the Table of the House for consideration, as is necessary in the case of rules made by the Board?

*SIR M. HICKS BEACH: Section 5 of the Electric Lighting Act, 1882, requires that rules made by the Board of Trade under that Act shall be laid before Parliament, but there is no similar provision in respect to the model form of Provisional Order. The Orders, as granted by the Board of Trade, are submitted to Parliament for confirmation, and have no force until so confirmed.

THE NEW EDUCATION CODE.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I beg to ask the Vice President of the Committee of Council on Education, in reference to the Return he has issued giving the estimate of the probable additional expenditure caused by the changes in the New Code, 1890, how he arrives at the estimate of £30,000

only as the additional expenditure likely to be incurred under Articles 101 (*a*) and (*b*); and whether the total estimated additional expenditure of £95,000 is for a whole year, or for that portion of the existing financial year only during which the New Code will be in force?

*THE VICE PRESIDENT OF THE COMMITTEE (Sir W. HART DYKE, Kent, Dartford): £95,000 is the total estimated expenditure for a whole year. With regard to the item of £30,000, I can only say that it is an estimate framed upon what is, undoubtedly, a somewhat conjectural basis, by the best expert assistance at the disposal of the Department.

ADULTERATION OF BUTTER.

MR. LANE: I beg to ask the President of the Board of Agriculture whether he will undertake to bring under the notice of the Departments of Agriculture in France, Belgium, Holland, and Denmark the grave injury which is being done to the dairy farmers of those countries, and of Great Britain, by the growing practice of adulterating butter, with a view to holding a Conference to consider how this matter might be dealt with, in order to protect the dairy interests of the various countries concerned?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): The question of the hon. Member refers to a matter which is undoubtedly of great importance to a large and, I believe, a steadily increasing branch of agricultural industry in the United Kingdom—namely, the manufacture of butter and dairy farming generally, and I listen, I can assure him, with a very sympathising ear to any representations affecting the prosperity of that branch of agricultural industry which the Board of Agriculture is doing its best to promote and encourage throughout the country at the present time. The question, however, of the hon. Member only appeared on the Paper this morning, and I have neither the knowledge nor information as to the facts of the case to warrant my undertaking to adopt the course he proposes. I will, however, examine into the facts without loss of time, with the view of ascertaining if it is possible or desirable to take any action in the direction which he suggests; but I am under the impression that it is a matter which is within the jurisdiction of the Customs rather than the Board of Agriculture.

OUTLAYS ON FORTIFICATIONS.

ADMIRAL MAYNE (Pembroke, &c.): I beg to ask the Secretary of State for War whether he will grant a Return showing the amount of money spent on fortifications, and on guns for them, since the recommendations of the Royal Commission in 1859?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): If my hon. and gallant Friend will move for such a Return, I shall be happy to give it exactly as regards fortifications, and approximately as regards the guns for them.

QUARTERMASTERS AND ARMY CONTRACTORS.

MR. HANBURY: I beg to ask the Secretary of State for War whether his attention has been called to evidence, recently given before the Chester Bankruptcy Court, by John Rowlands, for several years contractor for bread to the Chester garrison, who stated that he supplied Quartermaster Yates (now in India) and Quartermaster Binthall (who has since left the Army) regularly with bread for themselves and families, for which they never paid, that both of them had to do with the rations, and it would have been an awkward thing to press them for payment; whether he will make inquiry into the truth of this allegation; what is the actual duty of Quartermasters as to inspecting and reporting on rations; and if their duties extend only to reporting on quantity, what steps he has taken to insure that the officers whose duty it is to inspect rations for quality do not devolve that duty upon their Quartermasters?

*MR. E. STANHOPE: The particular case referred to in the question is under investigation. The duties of a Quartermaster in inspecting rations are limited by Queen's Regulations to points of quantity. He has nothing to do with quality; and it is the duty of his commanding officer to see that the regulations are complied with.

THE ARMY MEDICAL DEPARTMENT.

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask the Secretary of State for War whether he has received memorials and communications from the Royal Colleges of Physicians of London and Edinburgh, the Royal Colleges of Surgeons of England and Ireland, and other Public Bodies, urging the Government, on behalf of the medical profession, to carry out the recommendations of the Departmental Committee on the Army Medical Department, which recently sat under the presidency of Lord Camperdown; and whether, in consideration of the representative character of these important licensing Corporations, he will lay their Memorials upon the Table of the House for the information of hon. Members?

*MR. E. STANHOPE: Such Memorials as have been received by the War Office can be presented to the House if the hon. Member moved for them.

DR. FARQUHARSON: Will the right hon. Gentleman include the answers given by the War Office?

*MR. E. STANHOPE: The hon. Member can see the answers if he desires to do so, but I do not think it necessary to lay them on the Table of the House.

SOLDIERS' PENSIONS.

MR. CRILLY: I beg to ask the Secretary of State for War with reference to the case of Patrick McDonnell, a private in the 1st Battalion of the East Lancashire Foot Regiment, who was discharged from the Service on the 6th March, 1888, having been found medically unfit for further service, and who had spent a considerable time in India, where he contracted the disease of the heart which necessitated his retirement, whether his conduct while in the Army was, as his certificate of discharge shows, "very good"; whether a number of medical certificates have been submitted to the War Office, showing that McDonnell after his service in the Army is physically unable to earn a livelihood; and whether, under the circumstances, some provision in the shape of a pension can be made for him?

*MR. E. STANHOPE: The grant of pensions rests with the Commissioners of Chelsea Hospital; and I have sent the case of Patrick M'Donnell for their consideration.

THE MUNSTER FUSILIERS.

MR. O'KEEFFE (Limerick): I beg to ask the Secretary of State for War if his attention has been called to a disturbance which occurred on Thursday last among the men of the 5th Battalion Munster Fusiliers at Limerick; whether these men (militia) are, contrary to usage, compelled to lie under canvass, and that, owing to rain and defective arrangements, their bedclothes, &c., have been wet, and there is danger of sickness ensuing; and whether a sum of 2s. 5d. per week has been taken off the men's pay, and, as universal dissatisfaction has been excited, whether steps will be taken to improve their condition, and revert to the original position of the Force?

*MR. E. STANHOPE: The General Officer at Cork has reported that this Militia battalion was encamped for training; but as after two days incessant rain the bedding and camp furniture became saturated, the men were, under medical advice, transferred to billets. After a day in billets, the equipment being quite dry the battalion returned, with the medical officer's concurrence, to camp. No stoppage was made from the men's pay; but, being under canvas, they get no lodging or ration allowance. Nothing is known of any general dissatisfaction or defective arrangements or anticipated illness.

H.M.S. *EGERIA.*

MR. PICKERSGILL: I beg to ask the First Lord of the Admiralty whether any petty officer or seaman has already been sentenced to punishment in connection with the alleged disturbance on board the *Egeria*, on Good Friday; if so, will he state in each case the offence charged, the constitution of the Court, and the sentence imposed?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): If the hon. Member will refer to my answer to a similar question on June 24, I think he will find all the information he asks for.

MR. PICKERSGILL: Has it been stated how many persons have been punished, or have we been informed what was the constitution of the Court?

LORD G. HAMILTON: Yes, Sir.

MR. PICKERSGILL: Have we had the names of the officers who composed the Court?

LORD G. HAMILTON: No, Sir.

MR. PICKERSGILL: Will the right hon. Gentleman supply them?

LORD G. HAMILTON: That was not asked in the question.

MR. PICKERSGILL: I will put the question down on Monday.

BUSINESS OF THE HOUSE.

MR. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the First Lord of the Treasury when the Government will give the House an opportunity of considering Supply?

*MR. W. H. SMITH: The Government propose to ask the House to go into Committee of Supply on a day in next week, when it will be necessary to ask for some Votes. On the following Monday I hope to proceed with the Irish Estimates, taking the Constabulary Vote first.

MR. SEXTON: Does the right hon. Gentleman mean that the Irish Estimates will be separated from the rest?

*MR. W. H. SMITH: An appeal was made to me more than once by right hon. Gentlemen opposite to place the Constabulary Vote before the House as early as possible. I am responding to that appeal by fixing it, I hope, for Monday week.

MR. SUMMERS: I beg to ask the First Lord of the Treasury whether, in the event of the withdrawal of the extinction of licences clauses of the Local Taxation (Customs and Excise) Duties Bill, the Government will consider the advisability of employing a portion of the extra Spirit Duty for the purpose of establishing a penny postage within the limits of the British Empire?

*MR. W. H. SMITH: With reference to the very important communication which you, Mr. Speaker, made to the House on Tuesday last in reply to the question of the hon. and learned Member for Longford, the Government have given their most respectful and careful consideration to the *dicta* which fell from you, and which they do not presume to question; and in submitting themselves to the highest Constitutional Authority on matters of Parliamentary practice, they have no alternative but to withdraw the provisions relating to the fund for the purchase of licences from the Local Taxation Bill. Under those circumstances when we proceed with the Bill, we shall move to omit on the Report Sub-section 2 of the first clause, and in Committee Sub-section 2 of the second clause. On Clause 3 we shall move to omit Sub-section 1. Clauses 5, 6, and 7 will also go out of the Bill. With regard to Clause 8, I can only leave that clause in the hands of the House. With regard to the restriction on the issue of new licences, the Government are not prepared to enter into anything approaching a contest with the House on that clause, and if, therefore, it is proposed to raise Amendments, which are on the Paper to the extent of two pages, the only course open to the Government would be to withdraw that clause also. The Government, at a later date, will take into consideration all the various proposals which have been made with regard to the funds which will be released from the original appropriation under the Bill as it stands, and they will offer their recommendations to the House in the form of Amendments or a new clause to the Bill on a future day. But the Government reserve to themselves time for the consideration of the suggestions made in various parts of the House, in order that they may, as they hope, submit proposals which will meet with the general acceptance of the House.

SIR G. CAMPBELL (Kirkcaldy, &c.): May I ask if it is intended to reinstate Clause 8 in the Western Australia Bill?

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): I wish to widen the hon. Member's inquiry. The House is anxious for, and I may say is entitled to, some further information as to the course of public business. I, therefore, ask the right hon. Gentleman what additions he is prepared to make to the information he has already given us with regard to the immediate and the approaching course of business? The right hon. Gentleman has said that some nights next week are to be devoted to Supply, and that on Monday week the Irish Constabulary Vote will be taken. That is practically all the information we possess with regard to our prospects, and I think the right hon. Gentleman will feel we are entitled to ask, either to-day or on the earliest day that suits his convenience, for what I will call a revised edition of the statement he made a short time ago. For example, there is a Bill of very great importance in a state

of very great uncertainty, and as to which there ought not to be uncertainty much longer—that is the Bill relating to the collection of tithe. We have no idea whether there is any serious intention of going forward with that Bill, or, if so, when it will be taken. I think the inference must be that it will be definitely postponed. I ask for information on that subject and on the general intentions of the Government as to proceeding with Bills or dropping them.

MR. BRADLAUGH: Can the right hon. Gentleman state now whether the Indian Council Bill, which stands for Monday, only stands formally for that day; if so, can he fix a day when the Bill will be taken?

*MR. W. H. SMITH: I admit the reasonableness of the right hon. Gentleman's question, but I must ask for a few days in order to make a statement which may be regarded as definitive. I trust, however, the right hon. Gentleman will not assume that the Tithe Bill is not to be proceeded with, if, in the arrangements we make, we are unable to proceed with it next week. We are under the necessity of asking Votes in Supply on Thursday; and on being pressed by hon. Members as to the Irish Votes, I thought it best for the convenience of the House to state that Irish Supply would be taken on Monday week. The business for to-day and to-morrow will be found on the Paper. I hope it will be possible to complete the Debate on the Second Reading of the two Police Bills to-morrow. I think hon. Gentlemen opposite will agree that those Bills should be referred to either Standing or Select Committees. If it is not possible to read those Bills a second time to-morrow, then I shall have to ask that they be read a second time on Monday. My right hon. Friend the Home Secretary has prepared a Memorandum explanatory of the character of those Bills, which should, I think, be of considerable assistance in discussing them. I will state to-morrow what the business will be on Monday. It will be obvious that the business on the Paper to-night offers very few opportunities for difference of opinion. The Government do not propose to re-introduce Clause 8 into the Western Australia Bill. I am not able to state when the Indian Council Bill will be taken, but it will not be taken on Monday. It must stand over until the more pressing Bills are disposed of.

MR. BRADLAUGH: It will not be taken on Monday?

*MR. W. H. SMITH was understood to reply in the negative.

*MR. CHILDERS (Edinburgh, S.): I wish to ask when the Scotch Police Superannuation Bill is proposed to be taken, and what Supply is to be taken on Thursday?

MR. HUNTER (Aberdeen, N.): Has the right hon. Gentleman's attention been drawn to the pledge given by the Home Secretary that the Scotch Police Superannuation Bill should be sent to a Select Committee?

*MR. W. H. SMITH: The Scotch Bill will be referred to a separate Select Committee. With regard to Supply, on Thursday it is intended to take the Army Estimates, and we shall put down the War Office Vote.

MR. BAUMANN (Camberwell, Peckham): I beg to ask the right hon. Gentleman whether he did not give an undertaking to the House the other evening that when the Police Vote was disposed of he would put down the Colonial Vote. Will the right hon. Gentleman depart from that undertaking?

*MR. W. H. SMITH: I do not think I undertook to finish any Vote. I said it would be desirable we should proceed with the consideration of the Vote; but I think it must be admitted that the Army Estimates must have precedence.

MR. STANLEY LEIGHTON (Shropshire, Oswestry): Do I understand my right hon. Friend to pledge the Government to proceed this Session with the Tithe Rent-charge Bill, or does he decline to give such a pledge?

*MR. W. H. SMITH: I did not decline to pledge the Government to proceed with the Tithe Rent-charge Bill. On the contrary, my language was in the opposite direction.

SIR G. TREVELYAN (Glasgow, Bridgeton): Does the right hon. Gentleman propose to take the Scotch and English Police Bills to-morrow; and, if so, will it be in order for the Scotch Members to speak on the general question of police as relating to Scotland on the Debate on the Second Reading of the English Bill?

*MR. W. H. SMITH: As the right hon. Gentleman knows, I am not an authority on points of order. But I have no doubt, Sir, that, with you in the Chair, due licence will be given to hon. Members during the discussion on the principle of superannuation, even if it should extend beyond the scope of the Bill on which the speech is made. I hope hon. Gentlemen will understand that we only ask them to accept the principle of superannuation on the Second Reading, and that, by assenting to the Second Reading, they will not bind themselves upon any question of detail.

MR. H. H. FOWLER (Wolverhampton, E.): I wish to ask whether the Government will not send the English as well as the Scotch Police Bill to a Select Committee? There is considerable opposition to referring it to a Grand Committee.

*MR. W. H. SMITH: The Government are prepared to take either course as the House desires.

MAJOR RASCH (Essex, S.E.): I beg to ask my right hon. Friend the First Lord of the Treasury a question of which I have given him private notice, namely, whether the Government will give facilities for the Small Holdings Bill introduced by myself and the hon. Member for East Norfolk?

*MR. W. H. SMITH: My hon. and gallant Friend will see that the opportunities which the Government have of affording facilities are very limited.

MR. CHANNING: Is the right hon. Gentleman aware that the postponement of the Colonial Vote will deprive hon. Members of opportunities of discussing the Agreement between this country and Germany, and will he have the Colonial Vote set down for an early day?

*MR. W. H. SMITH: I will endeavour to get the Vote forward as early as possible; but I think that colonial subjects have already been discussed during two evenings. [*Cries of* "No!"] The hon. Member will have the opportunity he desires.

MR. H. KNATCHBULL-HUGESSEN (Kent, Faversham): Can the right hon. Gentleman say when it is his intention to take the Navy Estimates?

*MR. W. H. SMITH: I am unable to say.

MR. LABOUCHERE (Northampton): Will the right hon. Gentleman be good enough to say whether he intends to take the fourth notice of Motion on the Paper to-night, the appointment of the Committee on the Procedure of the House? The names have only been put down to-day, and if it is desired by any hon. Member to substitute another name, it is not possible to do so without notice

*MR. W. H. SMITH: I was under the impression that it was desirable to take the Motion to-night. It is not usual to oppose these nominations, settled as they have been in the manner with which the hon. Member is familiar.

MR. LABOUCHERE: Whether it is usual or not, is it not absolutely necessary to give notice for the substitution of a name, and the rights of Members are lost if they do not give notice before the Motion comes on? I hope the right hon. Gentleman will not persist in taking the Motion this evening, because it will be opposed.

MR. HOWARD VINCENT (Sheffield, Central): In regard to the statement of the right hon. Gentleman that the Police Superannuation Bill is to be referred to a Select Committee, is he aware that the question of police superannuation was examined in 1877, and is not this further reference to a Committee calculated very much to delay the matter?

*MR. W. H. SMITH: I should be extremely sorry, as I am sure would be the House generally, if the Bill should be delayed by the reference to a Committee. While it is true the question of police superannuation was carefully examined by a Committee some years ago, the mode of settlement proposed in the Bill has had no such examination, and I could not resist the desire of hon. Members that the Bill should be referred to a Select Committee for examination of the important details in the Bill. I trust the Committee will rapidly come to their Report.

MR. HOWARD VINCENT: Then I would ask that the Committee should be struck at once, and nominated as soon as possible.

*MR. W. H. SMITH: Certainly; every effort will be made to secure despatch.

MR. PICTON (Leicester): With regard to Orders No. 13 and 14, the Reformatory Schools Bill and the Industrial Schools Bill, may we not have something more than a negative answer that they will not be taken to-night? There is a strong feeling among members of School Boards, especially in reference to the Industrial Schools Bill. Can the right hon. Gentleman tell us when the Bills will be taken; can he give definite notice?

*MR. W. H. SMITH: Notice will be given. I am not able to say just now.

DR. FARQUHARSON (Aberdeen, W.): Is it the intention to take any other of the Army Estimates on Thursday but the War Office Vote? The Medical Vote is next, and as the right hon. Gentleman is aware, probably, there is the keenest interest taken in that Vote.

*MR. W. H. SMITH: We shall only take the War Office Vote.

MR. BRUNNER (Cheshire, Northwich): Will the right hon. Gentleman give us a distinct promise that the Motion for the appointment of the Committee on the Business of the House will not be taken to-night?

*MR. W. H. SMITH: No; I cannot do that.

THE LOCAL TAXATION PROPOSALS.

MR. T. M. HEALY: May I ask the right hon. Gentleman whether it is proposed to allocate the proportional amounts of the Spirit Duty annually to England and Ireland, or is it to be a perpetual allocation? The Whisky Tax, of course, is passed, and will remain as a permanent tax; but I should like to know whether, in their new legislation, the Government will deal with this £40,000 for Ireland, and the larger sum for England for the year only, or will it be a general Bill to exist as long as the tax is in existence?

*MR. W. H. SMITH: The hon. and learned Member must be content to wait until he has our proposals before him on the Paper in the form of Amendments. The matter is receiving very careful examination, but when the hon. and learned Gentleman speaks of any particular tax as permanent, he must remember that it is open to every Chancellor of the Exchequer to review the taxation of the country every year. It is quite possible, not to say probable, that this tax having been imposed for a particular object, might be dealt with next year.

MR. T. M. HEALY: That is what I want to get at. We want to know, brewers and distillers naturally are anxious to know, as this tax was only put on for the purpose of compensation to publicans, which object is now abandoned, whether there will be this tax on the trade next year or not?

*MR. W. H. SMITH: The hon. and learned Gentleman must be content with my answer; I am not able to say what may happen next year.

DEATHS FROM ELECTRIC CURRENTS IN THE UNITED STATES (CORRESPONDENCE).

Copy ordered—

"Of Correspondence between the Foreign Office and the Board of Trade with reference to Deaths from Electric Currents in the United States."—(*Sir Michael Hicks Beach.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 259.]

NAVY (SEAMEN AND STOKERS) (PERCENTAGE OF RE-ENGAGEMENTS.

Return ordered—

"Showing the Result of an Inquiry into the Comparative Per-centage of 500 Seamen and 500 Stokers, who Re-engage after 10 years' service; and of those who are lost to the Service by death, desertion, discharge, invaliding, or purchase during the first 10 years."—(*Admiral Mayne.*)

ALDERSHOT ROADS BILL.—(No. 298.)

Mr. Edwards-Moss, Mr. Conybeare, Mr. Shaw Lefevre, and Mr. Brodrick, nominated Members of the Committee, with three to be added by the Committee of Selection.

Ordered, "That all Petitions presented against the Bill three clear days before the meeting of the Committee be referred to the Select Committee on the Bill, and that such of the Petitioners as pray to be heard by themselves, their Counsel, Agents, or Witnesses, be heard upon their Petitions if they think fit, and Counsel heard in favour of the Bill against the said Petitions if desired."

Ordered, "That the Committee have power to send for persons, papers, and records."

Ordered, "That three be the quorum."—(*Mr. Brodrick.*)

ORDERS OF THE DAY.

ALLOTMENTS ACT (1887) AMENDMENT BILL.—(No. 318.)

Order for Consideration, as amended, read.

Bill re-committed in respect of a new clause (Use of schoolroom free of charges).

Considered in Committee.

(In the Committee.)

(6.10.) THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG, Wilts, Devizes): I move this new clause in redemption of a promise made when the Bill was in Committee that facilities should be given for the holding of meetings for allotment purposes. It is not so extensive as an Amendment for a similar purpose in the name of the hon. Member for North Bucks, but I think if the Committee will look at it the clause does make the necessary provision for a meeting place.

New Clause—

"Any room in a school receiving a grant out of moneys provided by Parliament may, except during ordinary school hours, be used free of charge for the purpose of an inquiry under this Act, by the County Council or any Committee appointed under this Act; but any damage done to the room and any expense incurred by the person or persons having control over the room on account of its being so used shall be paid by the County Council,"

—brought up, and read the first and second time.

(6.12.) MR. H. GARDNER (Essex, Saffron Walden): I move an Amendment in no hostile spirit to the present proposal, nor do I, by raising a dilatory Debate, wish to hinder the progress of the Bill through the House. It is needless for me to say that I share the opinion of many Members on this side that the Act of 1887, with this amending Act, is unsatisfactory and incomplete, and will rather tend to delay the settlement of the Allotments question in a broad and statesmanlike manner. But I have never sought to hinder this or similar measures on behalf of the bulk of my constituents, nearly all of whom are of the agricultural class. I have welcomed any measure, however incomplete, that would tend to improve the meagre income of the agricultural labourer, or alleviate his sometimes very hard lot. Hon. Members will not be surprised that I have put down an Amendment for the purpose of somewhat widening the effect of the clause, and, as I think, of improving it in the direction I have before advocated. For five years past, in this and the preceding Parliament, I have sought by Bill, Resolution, and conversations in Supply to try to persuade the Government and the House to adopt the principle that the village schoolroom should be open to the use of the ratepayers for local or national purposes, because I have felt it right that the ratepayers, who contribute towards the maintenance of the building, should have the use of it as occasion arises. There can be no doubt that a great necessity arises in villages for the use of such a large room on certain occasions. I am sure those who have contested rural constituencies since the Act of 1883 first called the rural population to the councils of the nation, must have been impressed with the necessity of a room of the kind for public meetings. As a rule there is no other building but the schoolroom available. In my own constituency, in some 80 villages, there are not more than four or five places where a room can be found for public meetings and we were plunged into dire necessity to find places to speak in. But the gesture of the Chairman warns me that I must not pursue these remarks. The object of my Amendment is not, of course, to hold political meetings, but in order that inhabitants of a village may have a place to hold their meetings, and discuss questions having reference to allotments. The necessity exists for such a place of meeting, for discussing matters affecting the public interest of the locality, ratepayers have a claim for the use of these buildings, and I go further, and say that in various Acts Parliament has conceded the right. The Parliamentary Elections Act of 1872 authorises the use of such schools for polling places, and there is in the words of the 6th Section an indication of why Parliament made this provision by reference to "any school receiving grants out of moneys provided by Act of Parliament," and in the opinion of Mr. Forster, expressed at the time, "it is no more than fair that the school room should be so used." In my opinion this amounts to a recognition of

the claim that ratepayers have upon the use of the schoolroom. This right was further confirmed by the Allotments Act of 1887.

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): It may, perhaps, save the hon. Member a long speech if I presume to interrupt him, and say that we are prepared to agree to his Amendment in this form, "or for the purpose of holding any public meeting necessary under this Act."

MR. H. GARDNER: I am afraid I could not accept that Amendment. It is obvious that any meeting necessary under the Act is restrictive, and goes little beyond the clause as it is. I have in view meetings not necessary under the Act, but meetings of those interested in having the Act in operation, or desirous of representing their views as to the desirability of taking certain land for allotments. I was referring to the Allotments Act of 1887 in support of my contention that Parliament has recognised the right of the ratepayers to the use of the village schoolroom for meetings for local or national purposes. I mention this because it has been contended that in the Parliamentary Elections Act the State exercised a supreme right, and appropriated the schools for a national or Imperial purpose, but by the Allotments Act Parliament admitted that schools should be used for local purposes also. In the same sense is the clause now before us, and which I want to widen. It is obvious that for the actual purposes of the Act the school must be availed of, the inhabitants having no other place for public meeting. I am perfectly willing to accept any Amendment which will not defeat the object I have, that the ratepayers should have the right to use the schoolroom for the purpose of discussing any proposition in relation to the Act. I am ready to provide that such meetings shall be convened by not less than two ratepayers of the parish in which the school is situated, and that these shall be responsible for any damage to the room. I think I have made my meaning clear, and need not detain the Committee further. I only wish to impress upon the Government the importance of this matter in rural districts, and I shall certainly, if it is resisted, carry my Amendment to a Division. Let me point out to hon. Gentlemen opposite, who represent agricultural constituencies, and make suave speeches to their constituents, that by voting against this Amendment they will be practically closing the mouths of rural communities, and preventing the carrying out of the Act.

Amendment proposed,

In line 5, after the word "Act," to insert the words "or for the purpose of holding public meetings to discuss propositions as to allotments under this Act."—(*Mr. H. Gardner.*)

Question proposed, "That those words be there inserted."

(6.27.) MR. LONG: The suggestion made by my right hon. Friend was not with any intention of limiting meetings to be held for the purpose of arriving at conclusions with reference to allotments, and the clause is brought forward in no niggardly spirit. We have no desire to prevent the fullest inquiry and discussion locally into allotment questions. I accept the spirit of the Amendment, although I think that its words are too vague, and require modification. I trust that it may be possible for the hon. Member, or the Committee, to frame an Amendment which shall express more clearly the meaning we are all agreed upon.

(6.30.) MR. MUNDELLA (Sheffield, Brightside): I congratulate the Government on the reasonable manner in which they meet this proposal. I think it very important that some such arrangement as is here suggested should be arrived at, and that my hon. Friend would do well if he would accept the offer made by the Government.

MR. H. GARDNER: I accept the proposition made by the Government, and will, therefore, withdraw my Amendment.

Amendment, by leave, withdrawn.

(6.31.) Amendment proposed,

In line 5, after the word "Act" to insert the words, "or for the purpose of holding public meetings to discuss any question relating to allotments under this Act or the principal Act."—(*Mr. H. Gardner.*)

Question proposed, "That those words be there inserted."

SIR W. PLOWDEN (Wolverhampton, W.): I do not think that the proposed addition to the clause will exactly meet what is wanted, as it would only give power to the County Council, or to any

Committees appointed under the Act, to make use of the rooms.

MR. COBB (Warwick, S.E., Rugby): Do these words include the principal Act? I do not think they do, and I think the principal Act ought to be inserted.

MR. BARING (London): I must protest against the way in which this question has been raised. The claim now made is based on the ground of the interest of the ratepayers in the school buildings; but a large majority of the schools are voluntary schools, to which the ratepayers contribute nothing whatever. The Government, however, seem to be so enamoured of surrender that I am not surprised at their giving way. It is not conducive to the peace of a parish that its schools should be liable to the incursion of any agitator who might choose to stir up perfectly contented villagers to demand allotments.

MR. LLEWELLYN (Somerset, N.): A certain number of meetings will be absolutely necessary under the Bill—meetings at which the labourers may have the opportunity of fairly considering the proposals they wish to submit to the Local Authorities.

MR. HENEAGE (Great Grimsby): I do not believe that the managers of any of the voluntary schools would be narrow minded enough to object to the clause, as amended.

*MR. CHANNING (Northampton, E.): I may state in illustration of the advantage of this proposal that in my own village meetings have been held for the formation of an association to carry out this object, and they have met with the co-operation of the Conservative Governors of the school.

Question put, and agreed to.

Clause, as amended, added to the Bill, and reported.

Bill, as amended, considered.

Amendment proposed, in Clause 3, page 2, line 22, to leave out the word "may" and insert the word "shall."—*(Mr. Long.)*

MR. STEPHENS (Hornsey): I think it a very ungracious and unnecessary thing to over-ride the discretion of the County Councils in this matter. It is impossible for us to judge of all circumstances in different parts of the country where the County Councils have to act, and surely we may trust them to do their duty without fettering their discretion in this way.

MR. LONG: This is not a question of the discretion of the County Councils. It is simply a provision that the Inquiry must be held by the County Council.

MR. STEPHENS: I accept the statement of the hon. Gentleman.

Amendment agreed to.

Other Amendments made.

Motion made, and Question proposed, "That the Bill be now read a third time."

*MR. CHANNING: I do not wish to raise any objection to the Third Reading of the Bill. Hon. Members on this side have taken no objection to the Bill itself. The object of the Instructions we put on the Paper has been simply to prove that this question will never be satisfactorily settled until other matters which the Government have not seen fit to introduce into the Bill have been embodied in an Act of Parliament.

MR. J. COLLINGS (Birmingham, Bordesley): I must congratulate the Government on having passed this Bill. I am certain it will prove a great relief from existing difficulties and be the means of facilitating the operation of the existing law so as to prove an immense boon to a large number of people.

CAPTAIN VERNEY (Bucks, N.): And I, Sir, have to express my absolute uncertainty on the same subject.

*MR. COBB: I am exceedingly grateful to the Government for the manner in which they have met us as to the use of the schoolrooms, and I shall not make the remarks which I intended to make on the Third Reading.

Question put, and agreed to.

Bill read the third time, and passed.

BARRACKS BILL.—(No. 234.)

Bill considered in Committee.

(In the Committee.)

Clause 5.

SIR G. CAMPBELL: On this clause I beg to move, in page 4, line 3, after the word "money," to insert the words—

"and such estimate shall be laid before Parliament as soon as possible: Provided, that in framing such estimates regard shall be had to the provision of local centres for the combined training of the Regular and Auxiliary Forces, and the renewal and improvement of existing barracks and camps, and not to the provision of permanent accommodation for additional forces at great cenfral camps."

I understand that the Secretary of State proposes under this Bill to establish a great central camp at Aldershot, but in doing this the right hon. Gentleman will be defeating the plan of localisation which has been sanctioned by successive Governments and the House. We know that this Bill was smuggled through the House unexpectedly at a late hour in the evening when there was not time properly to discuss it. For my part, I admit the necessity of providing new barracks; and on this subject I think we have hitherto greatly neglected our duty, the existing barracks being for the most part in anything but a wholesome or sanitary condition, and unfit for the purposes of localisation. In my belief we shall have to spend not only the £4,100,000 provided by this Bill, but a considerable sum beyond that. When in India my attention was called to discussions which took place with regard to the provision of barracks, and the enormous sums expended and the blunders made in regard to those buildings. My impression is that before we have done with the barracks of the United Kingdom and our colonies, if we really put them into an efficient state, we shall have to spend a much larger sum than is provided for by this measure. I have long been of opinion that it is not desirable to concentrate the Army, and that it is much more desirable to carry out a good localisation scheme. We want a National Army for defence not defiance, and for this purpose we must have efficient barracks at Aldershot and other places. I deplore the fact that up to the present moment a system of localisation has not been carried out. If a large body of troops is to be concentrated at Aldershot or in any other locality, the result will be to cause the divorce between the Regular and Auxiliary Forces, which I regard as one of the greatest evils of the day, to be greatly exaggerated. I am confident that I have justification for what I say, because, on the very day when the Report of the Second Reading of this Bill appeared, there was a letter published in the *Times* from a very distinguished General—General Adye, than whom there could not be a higher authority—giving expression to the very views I have ventured to submit to the Committee. Sir John Adye, writing to the *Times* on May 24, said—

"The Minister for War, in his statement of February last, did not by any means limit his proposal to the removal of defects. On the contrary, he specially said that our troops were dribbled away throughout the country, and that the main object was concentration. It will be observed, for instance, that no less s sum than £1,475,000 is put down for Aldershot alone, and that in addition to the considerable force of infantry already there, it is contemplated to build barracks for the permanent location of six more battalions; and the same scheme, on a smaller scale, is to be carried out at other places. According to my judgment, the principle of permanently massing our regular troops at a few stations is a faulty one, and is in entire opposition to the policy pursued of late years. The localisation of the depôts in the various counties, which was commenced by the late Lord Cardwell, was with a view not only of bringing our soldiers more into touch with the civil population, but of more closely associating them with the Militia and Volunteers. So far as it has gone, that measure has been very successful in popularising the Service, in facilitating recruiting, and in improving the Auxiliary Forces. I do not wish to imply that the massing of our troops of all arms, and of Regulars, Militia, and Volunteers, for purposes of instruction at the military camps, is not in every way advantageous. Such a system should be carried out annually. But these should be temporary and not permanent arrangements; and the regiments coming from a distance should be encamped. Camp life of itself is instructive to young soldiers, and healthy at the same time. The permanent concentration of the Regular Troops at comparatively few stations at home, thus isolating them, as it were, from the civil population of the various counties, I hold to be a bad principle. It is also to be observed that the proposal, costly as it is, does not add a man or a gun to the strength of our Army, and looking at the numerous and constant requirements of the Empire—in various parts of the world for garrisons, armaments, and other preparations, it appears to me that careful inquiry should be made before the country is committed to a vast expenditure for arrangements, founded chiefly on a principle of a doubtful character."

I think it will be admitted, after reading that extract, that I do not act without authority in bringing this subject before the House. I will only quote from another letter which appeared in the *Times*, dated May 26th, and signed

"Major General." This Major General does not altogether agree with General Adye, but he agrees with him as to the localisation of the Forces. The Major General says—

"Sir John Adye, in his anxiety to throw stones at our Administration, with which he has never been connected, has contrived to draw attention to the scheme originating from Lord Cardwell in 1872, which one may fairly say has cost the country some millions of money, with the result now of entailing in patchwork a few millions more. This was the establishment of county depôts, an excellent plan in theory, but one which has been, is, and will be always, most costly in its practical uses. These barracks were built of a stiff uniform pattern, without reference to either the population or the military requirements of the district, to hold a staff of about 240 soldiers of each regimental depôt, and without apparently any notice of the proper requirements of the Auxiliary Forces of the district. The consequence is that, with two or three exceptions, like Lichfield, Warley, and Fleetwood, there is no accommodation for the Militia battalions of the county when out for training, and the Militia and Volunteer Permanent Staff have to be provided with extra quarters at a very large addition to the lodging list, and a corresponding swelling of the annual Army Estimates. As they now stand, they cost nearly £1,000,000 a year, with the result of an unsufficient training to the Line recruit, and the dissatisfaction of the officers commanding Militia battalions as to the training of their own recruits. Sir John Adye blames the concentration of troops at military stations, but he forgets that at isolated stations there are few facilities for training troops or for rifle ranges at the long distances now required by the new arm; and though he proposes that they should be massed temporarily for these purposes, he should know that in these days the training of both horse and foot must go on uninterruptedly, summer and winter, in the same manner as the Royal Artillery. Even in General Sir John Adye's muzzle-loading days, they were compelled to keep up the instruction which deservedly now places that arm of Her Majesty's Service in the van of all other military nations. No doubt the sum asked for by Mr. Stanhope is large, but it is the result of the parsimonious cutting down of barrack estimates that has characterised every Administration up to the present time."

I do not think that there could be a stronger opinion than that. I think these are very strong authorities to justify me in saying that I think Her Majesty's Government ought to devote more of this money to increased localisation, and I think £1,000,000 a year might be saved if you only had proper barracks. I was very much struck by some words which fell from an eminent authority at the time of the Debate on the Channel Tunnel Bill. He said that we need not trouble ourselves about Channel tunnels, but should rely on our land defences. I have long urged that we are living in a fool's paradise. Our Army is dispersed all over the world, and we very much need a good and efficient land defence. An Army might be hurled upon us from the Continent, and the only efficient means of resistance is an effective combination of the Auxiliary and Regular Forces—in fact, a National Army. We have the Return obtained on the Motion of the hon. Member for Bradford showing that at this moment we are spending £38,000,000 on our defences, though I believe with what is to be spent on barracks the sum is nearly £40,000,000. Instead of listening to old women about the Channel Tunnel, I say it would be much better that we should look to our land defences. A first step to the real and efficient localisation of the forces is to provide barracks which the authorities I have quoted tell you are necessary. Take Switzerland, where every man is trained for the national defence, and where may be seen an example which we might very well imitate. But if you want to exercise men in large masses, you must bring them into camp and under canvas. That will teach the men to help themselves and fit them for real campaigning. Therefore, Sir, I very much protest against this huge centralisation, and against this distrust which Sir John Adye and others seem to have of localisation. The best way of securing ourselves is to have a great National popular Army, and which, being popular, will not be aggressive. Now that there is a popular Army in France that country is the least inclined to aggression, and Ministers immediately become unpopular who invite danger to the nation. I beg to move the Amendment which stands in my name.

Amendment proposed,

In page 4, line 3, after the word "money" to insert the words "and such estimate shall be laid before Parliament as soon as possible, provided that in framing such estimates regard shall be had to the provision of local centres for the combined training of the Regular and Auxiliary Forces, and the renewal and improvement of existing barracks and camps, and not the provision of permanent accommodation for additional forces at great central camps."—(*Sir G. Campbell.*)

Question proposed, "That those words be there inserted."

(7.20.) MR. HANBURY (Preston): Mr. Courtney, there is a good deal, I confess, in the Amendment brought forward by the hon. Member, but I think we are entitled to a little more information from the Secretary for War as to the methods by which the barracks are to be kept up and the purposes for which they are going to be built. We have heard so much about the unsanitary dwellings of the troops and the danger to the life and health of many of them that we want to be sure that, in connection with the barracks that are going to be built, the money will not be wasted in the same way. On what system are they going to be built—by contract or competition, and with the supervision of engineers? We have seen the rascally kind of buildings run up for the London School Board. I want to see that our troops, at any rate, are not housed in buildings of that kind. I want to know exactly what precautions my right hon. Friend has taken against dangers of that kind so far as our barracks are concerned. Not only have we had experience of the Board School buildings, but we have had experience of the barracks at Bedford, as to which a local Surveyor reported the other day. I should like to know who is going to be the person positively responsible for these buildings. We have had the responsibility shuffled, first on the doctors by the engineers, and then on the engineers by the doctors, in respect of the barracks to which I refer; and I think we ought to have some positive information, before we spend all this money, as to who is going to be responsible for the sanitary arrangements of the buildings. I do hope my right hon. Friend will trust a little more to the men who are actually sent, and a little less to Surveyors and officials of that kind. Take the barracks at Dublin, for instance. Commissioner after Commissioner, and Surveyor after Surveyor reported that the houses were theoretically right. Then, at last, they sent a man who took up the floors, and found that everything was as bad as it possibly could be. I should like to know, also, over what period of time this work is to be extended. We know very well that, so far as many of the existing barracks are concerned, the matter is very pressing indeed. I think we ought to know something as to the scheme for the concentration of the troops. First one Minister, and then another, brings forward some proposal. Is this a new-fangled scheme of my right hon. Friend, and does he intend to upset the localisation scheme? The localisation is beginning to work effectively for the first time, and, though the present system is not by any means perfect, it is working a great deal better than it did. If my right hon. Friend interferes with that system, I believe he will have very great difficulty with regard to recruiting, whether trade revives or not. If he draws men away from their localities, I am sure he will not get either so many or so good a class of recruits as in the past.

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I do not interfere in any way with the scheme of localisation.

MR. HANBURY: I am very glad my questions have brought out that fact. I wish to know whether my right hon. Friend is going to concentrate the First Army Corps at Aldershot or not. It is very important to know that. And what is he going to do with the Second Army Corps, which is not in existence yet? There is a feeling in the North that its home ought to be in the North. I think the Amendment of the hon. Member for Kirkcaldy is entirely met by the statement of my right hon. Friend, and I congratulate him upon having given so clear an enunciation of his views; at the same time, I must warn him against the danger that this scheme of his will be a mixture of two schemes—a scheme of compensation on the one hand, and of localisation on the other; and that he will not get the advantage of either scheme. That is a danger which certainly occurs to me. Although I agree, to a certain extent, with the Amendment of the hon. Member for Kirkcaldy, I must say that my objections are largely removed by the statement of my right hon. Friend.

*(7.25.) SIR W. BARTTELOT (Sussex, N.W.): I was very glad to hear my right hon. Friend say that it was absolutely necessary that the various arms should be concentrated. I have always urged that the First Army Corps should

be seen so that the country might know that it was effective and efficient. It is said that it is so on paper; but what we want is that we shall be able to see it in reality. We shall have an opportunity, no doubt, when these new barracks are built, of seeing the First Army Corps in all its abundance at Aldershot. There can be nothing more important than these proposals to improve the sanitary conditions of the dwellings of our troops. It may save discussion if my right hon. Friend tells us whether he is going to distribute troops in certain strategic positions where they can be available for the large towns at a moment's notice. I should like to know how that scheme is being carried out. As to the cavalry regiments, I understood him to say that all small detachments should be done away with and the regiments concentrated in one place; this would, indeed, be a great improvement. In Manchester, for instance, the cavalry regiment now quartered there are to have new barracks at some convenient station not far from Manchester, where they can have plenty of space to drill. These are questions which deserve careful consideration. We have got £4,000,000, a certain portion of which is to be spent every year. We should like to know that the money will be expended, notwithstanding changes of Ministers, on lines that will be approved by the House of Commons. These new arrangements, as described by my right hon. Friend, are, I am satisfied, in the best interests of the troops, and it is a pity they were not made long ago. I am quite sure that whatever sum of money is spent, if it is only applied in the interests of the Army and to the improvement of the health of our soldiers, the public will not grudge it.

*(7.29.) MR. E. STANHOPE: The hon. Member for Kirkcaldy based a large part of his speech on certain correspondence in the *Times*, especially that of Sir John Adye. I am not going to depreciate the authority of Sir John Adye, but I must say I prefer his practice to his theory. Sir John Adye's recommendation to the Secretary for War was that he should spend money, not on increasing accommodation at local centres, but on re-building the permanent camps. But if you look at the figures of Sir John Adye, you will find that the work he recommended to be carried out would, at the rate of progress then made, take, at least, 150 years to accomplish. With regard to the localisation of the Forces, I will say at once that the scheme before the House in no way interferes with that scheme. I believe the scheme is working well, and I have not the smallest desire to interfere with it in any way; but I will do all in my power to make it more effective. The present scheme is necessitated, in the first instance, by the lamentable condition of many of our camps and barracks. It is necessitated also by our desire, if we do build barracks, to concentrate our troops more than we have done before. We hope to concentrate to a very considerable extent batteries of Artillery, so that there shall be, wherever possible, at least two batteries together, and, when possible, three. With regard to cavalry, we hope to be able, in certain circumstances, to enlarge the barracks, so that each may hold one complete regiment. In the case of Manchester, we propose to build a completely new cavalry barrack at some distance from the town, and to get rid of the present barrack, which is in a very inconvenient position, and certainly is not suited for the purpose to which it is now devoted. A large sum would have to be spent in putting the present building into a good condition; and we think it better, on all grounds, to remove the troops to a point some little distance from Manchester, where they will be available on short notice for any service for which they may be required. We have not yet decided what that place shall be, but we hope before long we may be able to arrive at a decision.

MR. POWELL WILLIAMS (Birmingham, S.): What does the right hon. Gentleman propose in relation to the cavalry in Birmingham?

*MR. E. STANHOPE: We shall certainly not keep those cavalry barracks. We think there is every ground to justify us for removing the cavalry from Birmingham. I have also been asked questions with reference to concentrated camps. Our policy has been to try and concentrate infantry in great camps. This has been done at Aldershot and the Curragh, and in one or two smaller camps. This we believe to be an enormous advantage. We think our small army will be made much more efficient

if our infantry can be concentrated with a small amount of cavalry and artillery, in order that they may practice manœuvres, as is done in other countries. It is very difficult in this country to find a space in which manœuvres can be carried out, but Aldershot seems to supply the best means for the purpose. We do not think we shall be able to get all the troops of the First Army Corps together at Aldershot, but we hope a large proportion of them will be concentrated there, and we are keeping the regiments first for service up to their full strength, in order that we may be able to meet any sudden demand for sending abroad a force of 8,000 or 10,000 men. I have been asked whether we intend to try the experiment of concentrating the First Army Corps. I assure my hon. Friend who put the question that I believe we could carry out that experiment with the greatest success, but we do not do it because of the enormous expense it would involve. The cost of a similar concentration in the South of France last year was enormous, and the same would be the case in this country. The hon. Member for Preston (Mr. Hanbury) asks how the new barracks are to be built. They are going to be built by contract. Plans are being prepared, and tenders will be called for.

MR. HANBURY: Under what system of competition—a pretty general competition?

*MR. E. STANHOPE: Yes; there will be very general competition. The hon. Member also asks who is responsible for the sanitary state of the new barracks. I have explained to the House that I think, on the whole, the safest and the best way of assuring that our new barracks are built on sound and sanitary principles is to re-constitute Lord Herbert's Sanitary Committee.

MR. HANBURY: Who will pass the barracks?

*MR. E. STANHOPE: There will be power in the Sanitary Committee to make an inspection of any barracks at any time, so as to see whether the plans they pass are carried out. I am perfectly satisfied that with this supervision we shall be able to provide new barracks on a thoroughly sound principle. My hon. Friend asks how long it will take to carry out the scheme. It must take some years; I do not myself entertain any hope that we can complete the whole of the scheme in less than seven years. We intend to deal first with those cases in which the sanitary requirements need the greatest attention. On the whole, we think that it is the best course. I hope we shall be able to complete the work in a shorter period than I have mentioned, but I should be deceiving the House if I held out confident expectations that we could complete the whole of the work not only in England but in the Colonies within a less time than I have mentioned. As to the Amendment of the hon. Member for Kirkcaldy (Sir George Campbell), I have only to say that I am wholly unable to accept it, and I hope the hon. Member will not press it.

*(7.39.) MR. CAMPBELL-BANNERMAN (Stirling Burghs): The right hon. Gentleman very properly and clearly pointed out to the House the distinction between what we term the localisation of the Army and the distribution of the troops quartered at home The localisation of the Army is a term which has come to be well known, and implies a scheme by which recruits are obtained and perform the first part of their drill in this country. It has, however, nothing to do with the stationing or quartering of regiments. Without having any strong opinion on the subject myself, I think I may say, with some confidence, that the Military Authorities have the greatest objection to the idea of any regiment being necessarily quartered in any particular part of the country. All that was attempted to be done by the localisation scheme was to secure connection in recruiting between a certain district and a certain regiment, and to bring the Auxiliary and the Regular Forces as much as possible in harmony. I agree with the hon. and gallant Member for Horsham (Sir W. Barttelot) that there are too many Brigade Depôts or depôt centres, as they are sometimes called. They are too small, and in many respects are not as efficient as they might have been. This was brought about by the necessities of the time when the scheme came into existence, and was largely occasioned by the necessity of consulting the prejudices and jealousies of the different counties. But to attempt now to do away with some

of these depôt centres, where the buildings have been erected, and to replace them with others would involve an enormous expense. The scheme of the right hon. Gentleman the Secretary for War is a scheme for shifting to a certain extent the quarters where the troops serving at home are distributed, and generally putting the barracks throughout the kingdom in a more habitable condition. I am bound to say that the right hon. Gentleman appears to me to have approached a very difficult question with much courage as well as discretion. I think those who know most about it will probably be strongest in their opinion that it is most undesirable to keep small detachments of troops isolated in towns, and frequently in most unfavourable circumstances, both for health and discipline. Of course, the original object in scattering the forces in that way was that they might be more ready to assist in the preservation of the peace, but the whole railway system has been brought into being since that distribution was made. I know there has been a good deal said by distinguished officers, whose opinion I value very highly, against the concentration of troops in large camps. One distinguished officer has published the opinion that the troops should not be kept in barracks, but ought to live in their own homes. I cannot say I share the opinion that this is either desirable or possible at the present time, and I think there is great advantage in establishing at Aldershot and one or two other places in the country an aggregation of corps of the different arms, so as to enable them to receive thorough training. By this means I hope there will be avoided those frequent movements of troops, which are so costly to the country, and which occasion so much inconvenience to all concerned. As I have already remarked, a point on which the House of Commons has not received sufficient information is the most material one of whether the number of troops for which we are now providing improved accommodation is really required in this country at all. It may be so, but we have no reason to believe that this matter has been carefully gone into in view of the recent changes made in the military and naval defences of the country. Allusion has been made to the First *Corps d'Armée*, and a hope has been expressed that it may be brought together at Aldershot. I am in a very incredulous and sceptical frame of mind about the First and the Second *Corps d'Armée*. I know the right hon. Gentleman believes in them firmly. For my own part, although there may be some utility in having an organisation of this kind, as it may serve as a limit up to which to build, as it were, I never have been able to see why we should endeavour to form our troops at home, being, as they are, a reservoir for various foreign services, into an organisation which is more fit for Continental warfare than for any purpose to which they are ever likely to be devoted in this country. As to the sanitary question, I think it is rather too hard that we should always have the Royal Barracks in Dublin, and other barracks which are in an insanitary condition, brought forward as instances of what the new barracks are to be. The old barracks are insanitary because they are built on the old sites, and many of them on cesspools.

MR. HANBURY: I distinctly alluded to the Bedford Barracks, which were built recently.

*MR. CAMPBELL-BANNERMAN: At all events I think the right hon. Gentleman (Mr. E. Stanhope) has taken what will be an effective course in re-appointing the Sanitary Commission. I hope my hon. Friend behind me will not press his Amendment, because the object at which it aims is really the same object as the right hon. Gentleman has in view as far as it is compatible with the conditions of our Service.

(7.50.) MR. JEFFREYS (Hants, Basingstoke): Allusion has been made to the popularity of the Army, and I am certain we shall never keep up the popularity of our Army until we keep our troops in good barracks. I wish to ask my right hon. Friend whether in the new barracks accommodation has been provided for married officers. At the present time a great many field officers are married men, and they either have barrack accommodation in the shape of a hut at Aldershot or a lodging allowance of £60 a year. I believe that under this scheme these officers are only to have two rooms, which, of course, is insuffi cient accommodation for a married man.

I hope my right hon. Friend will give this question his attention.

*(7.52.) MR. ROUND (Essex, N.E., Harwich): I am glad to hear what the Secretary of State for War has said, as to the further concentration of our Military Forces under the provisions of this Bill; and I believe the Committee will approve of the re-appointment of the old Sanitary Committee. I wish to ask my right hon. Friend for some information respecting the proposed alterations in the barracks at Colchester. A Parliamentary Return has been sent to Members showing the amounts proposed to be spent upon the different barracks, and I was surprised to find that there was a smaller sum allotted to Colchester out of the Vote for £4,000,000 than to any other camp. My right hon. Friend went down there the other day and inspected them, and no doubt he observed the unsatisfactory condition of the huts occupied by the Infantry. Those huts were built for the accommodation of the German legion nearly 40 years ago. And I think that if huts elsewhere are to be replaced by brick structures these should be included. I would press on the right hon. Gentleman the urgency and the necessity of thoroughly re-constructing the huts in the interests of our young soldiers.

(7.54.) MR. MUNRO FERGUSON (Leith, &c.): I wish to add one word to what was said by the hon. Member for Basingstoke (Mr. Jeffreys) in regard to the officers' quarters. There are some barracks which not only have no provision for married officers, but have none for single officers, and I would submit to the Secretary for War the expediency of providing accommodation for officers in the barracks of the brigade of Guards in London.

*(7.55.) SIR F. FITZWYGRAM (South Hants): In the remarks I wish to make I am afraid I shall place myself somewhat in opposition to the views of many officers. I agree that the concentration of troops is absolutely necessary, but I think it should not take place in barracks. My idea is that we should have for the use of our troops two central canvas camps, and that the troops should be sent there for about six weeks' practice a year. The adoption of such a system would, I believe, be equally valuable to the officers in command and to the men. There are, I think, only two uses in the concentration of troops. The first is to give practice to general officers, and the second to accustom troops to camp life. Six weeks' practice in tactics and manœuvres, so far as general officers and colonels of regiments are concerned, would be quite sufficient. If a man who has attained to the rank of a field officer cannot pick up the aptitude of handling bodies of troops in six weeks I do not think he is likely to do it at all. I have seen colonels come to Aldershot unable to handle troops, stay there for two years, and be unable to handle troops when they leave. I attach the greatest possible value to the training of senior officers. But I think the officer who gains most from the system of concentration ought to be the commander-in-chief. He is, or ought to be, constantly over at Aldershot watching the manœuvres of the troops and ascertaining the capacity of the senior officers. Having gained a knowledge of their capacity he would be able on the outbreak of war to employ those officers whom he found best able to handle troops. The gain in concentration of troops is to the senior officers. Company officers learn absolutely nothing. It does not make the slightest difference to a company officer whether there are 10,000 or 100,000 men in the field, because he simply has to take the word of command from his senior officer, and the same as regards the rank and file. The gain to the soldiers is, or at least ought to be, knowledge of camp life. I want to see the soldiers trained to camp life. At present, as far as all practical knowledge of camp life is concerned, men leave Aldershot just as ignorant as they go there. The men are on the Barrack Establishment. I should like to see them under canvas. I should like to see live oxen and sheep driven to Aldershot and killed and cooked there. I should like to see the bread ration abolished, and flour served up and bread baked in camp kitchens. Everyone who is acquainted with life in the field knows the privations from which men suffer, who are untrained to life under canvas. How, on the other hand, when they have got used to it, they make themselves perfectly comfortable and happy. Camp life, like other life, requires practice—it cannot all be learned in a day.

Instead of building great barracks at Aldershot, York, and Curragh, I think the barracks should be built for the men in their county towns where their friends live. I am sure they would feel happier and better, and I believe more good would be done than by anything else to promote the recruiting of the Army. It may be said that commanding officers require to be under a general and brigadier to brush them up. I do not deny that a good many commanding officers are a great deal better for being under a general for a *short* time, but I deny that it is good training for a commanding officer to be constantly under the eye of a general, inasmuch as he ought to be ready to take responsibility upon himself. I look upon out-quarters as most valuable. If officers learn to act for themselves when they are young they become more fitted for taking higher commands. This is especially the case in regard to cavalry regiments, the officers of which, in time of war, have constantly to perform duties which require a good head and plenty of self-reliance. If they are always kept together at head-quarters they will never have the opportunity of acting for themselves. I have seen a good many regiments at Aldershot which had been long quartered together, which were on arrival perfect in parade movements, but which were found to be very deficient, when they came to be knocked about in manœuvres. I utterly deny that there is any advantage to be gained by building large permanent barracks at York or Aldershot. To my mind it is merely the perpetuation of an evil system.

*(8.5.) MR. MURPHY (Dublin, St. Patrick's): I wish to draw attention to the question of the material to be used in the construction of the Irish barracks. I am willing to admit that a very considerable amount of this money is to be appropriated to works in Ireland. I would point out, however, that the designs for the new buildings are made in the War Office in London, and are based on the assumption that English building materials will be used. I would submit to the right hon. Gentleman that it is only reasonable the Department should make some effort to utilise as far as possible the materials to be found in Ireland. It would not involve any additional expense, but, on the contrary, would be attended by considerable economy. It is hardly reasonable or proper to carry stone from England to Ireland, where plenty of stone for building purposes is to be found, and still such things have been done, and I called the attention of the right hon. Gentleman to the fact about a year ago. I would also draw attention to the question of the designs for the barracks. Those designs do not appear to have improved with the improved ideas respecting buildings of other characters in this country in recent years. They seem to have in the War Office a stereotyped form, which they always stick to.

(8.9.) MAJOR RASCH (Essex, S.E.): I would point out, with reference to the Amendment of the hon. Member for Kirkcaldy (Sir G. Campbell) that, if carried, it would have the effect of reducing the Aldershot Division to about 3,000 or 4,000 men. The hon. Member suggested that canvas should be substituted for barracks. I do not think, if the hon. Gentleman were under canvas himself from now to Christmas, it would conduce to his *morale* or efficiency.

SIR G. CAMPBELL: I did not suggest that they should live permanently under canvas, but that they should be under canvas for six weeks in the summer.

MAJOR RASCH: I am sorry if I misunderstood the hon. Member. With regard to the Aldershot huts, they are in an absolutely ruinous condition, and those at Colchester and Shorncliffe are very much the same. At Shorncliffe, when I was there, the men had to shift their cots round the huts whenever there was a change of wind, because the rain absolutely drifted through the walls. I would suggest that you are not likely to encourage recruiting to house a man in a sort of inferior cowshed. Allusion has been made to the opinion of Sir John Adye. He is, no doubt, a general of great experience, but I do not think his name carries great weight among some Members of this House. He is principally known to Members as being the Director General of Ordnance at the time when the 35,000 swords which bent and broke and gave such unsatisfactory results in the Soudan Campaign were obtained, and he is also known as being a distinguished advocate of the Channel Tunnel. The hon.

Gentleman suggested that the depôt centres should be improved. I think he is quite right, but we must remember that the present Secretary for War has done a great deal for the depôt centres, and that it is owing to his energy and courage in the matter that nearly 90 per cent. of the Militia regiments that used to be in camps are now in barracks. The hon. Member for Preston (Mr. Hanbury) is quite right in asking that due supervision shall be exercised with reference to the building of these new quarters. I think he is perfectly right. We do not want to see repeated the fiasco that occurred in Belfast some time ago when the plans got mixed, and a building, with verandahs and so on, intended for Hong Kong, was put up in Belfast, while the Belfast plans were sent to Hong Kong. I think the War Office officials are entitled to commendation for the way in which they have elaborated the present schemes.

*(8.13.) MR. E. STANHOPE: I have been asked to consider the question of officers' quarters. The plans for officers' quarters in our camps have been considered thoroughly satisfactory by the architects whose opinion has been taken upon them. With regard to Colchester, I admit a good deal remains to be done there, but the camp there is incomparably better than those at Aldershot and Shorncliffe.

*MR. ROUND: Does the right hon Gentleman think the huts are better?

*MR. E. STANHOPE: Certainly I do. A good deal of money must be spent at Colchester, and I do not want to be tied down to the precise sums given in our Estimate. I saw there were palpable and gross evils that ought to be remedied at Colchester. The hon. and gallant Member for Hampshire (Sir F. Fitz-Wygram) has practically admitted that his views were not shared by the majority of officers in the Army, and in that he is quite right. Certainly, the officers I have consulted are absolutely unanimous in favour of the concentration of troops at Aldershot and elsewhere as best calculated to advance the interests of the Army. The right hon. Gentleman (Mr. Campbell-Bannerman) has asked me whether the present number of troops is required. That matter has been very carefully considered by the Government. I do not believe at all that we have too many troops, looking to the fact of the increasing demands made upon us to supply increasing garrisons at our coaling stations. May I hope that now we may be allowed to proceed with the remaining portions of the Bill?

(8.17.) MR. WADDY (Lincolnshire, Brigg): I should like to know whether it is proposed that anything should be done with the barracks at Dover? I have seen those barracks, the floors of which are absolutely reeking with moisture. Surely men ought not to be required to reside in such a place, at any rate when there is no actual war proceeding.

*MR. E. STANHOPE: The barracks at Dover will be dealt with in the course of the present year.

(8.19.) SIR G. CAMPBELL: I thought I was going to be sat upon all round; but I think the speech of the hon. and gallant Gentleman the Member for Hamphire (Sir F. FitzWygram) fully justifies me in taking the course I have adopted.. That speech was the speech of a practical man. It seems ,to me that Secretaries of State for War are morally coerced by the opinions of the military men by whom they are surrounded. These men wish to have a large Regular Army, and dislike to be muddled up with what they call second rate Auxiliaries. I am not entirely without knowledge of this matter. I have seen a great many troops, and I was particularly struck by what the hon. and gallant Gentleman said with regard to the accommodation of troops. It so happened that I was with the first column at Delhi in 1857. I was surprised at the extraordinary difference between the men who had been in camp and those who came from England. Those who had been in camp were healthful and good in every way, but the new troops were utterly helpless. They could do nothing for themselves. Now, so far from objecting to improve defective barracks, I have expressed the opinion that before you have done you will spend a great deal more than £4,000,000 on the work. It seems to me that the Secretary of State disposed of the question of localisation in a very light and airy way. He says the War Office do not intend to interfere with localisation in the least degree; but I do not find

from the Schedule of the way in which this money is to be spent a single farthing is to be spent on localisation or local centres. I maintain that you are starving out the system of localisation. If localisation is not to be interfered with why are you bringing six more regiments to Aldershot? I confess the Secretary of State has thrown a new light on this matter. I have always supposed, and I think others have, that localisation meant localisation of the troops, but the right hon. Gentleman tells us, under the advice of the military gentlemen surrounding him, it means nothing of the kind, that localisation never contemplated the localisation of troops, but the localisation of recruiting districts. I do not think the country has understood that that is what is meant by localisation. But as both sides are against me I do not think it is well I should go to a Division. I will only ask the Secretary of State for War whether he has any objection to the first part of my Amendment, namely, "that such Estimates shall be laid before Parliament as soon as possible."

*MR. E. STANHOPE: I am afraid I cannot undertake to adopt that.

SIR G. CAMPBELL: Then I submit myself to the opinion of the Committee.

LORD H. BRUCE (Wilts, Chippenham) was understood to say that it was proposed to do now what ought to have been done previously year by year.

(8.27.) DR. TANNER (Cork Co., Mid): I am anxious to receive some information as to the alterations at the Royal Barracks, Dublin. I understand that a very large sum of money is to be spent on the Dublin Barracks; but I have heard from Royal Engineers and others competent to form an opinion, that instead of pulling down the barracks and building them again what ought to be done would be to do away with the old wood flooring which is promotiug the disease in the barracks. The War Office find they can get this money very easily, and I suppose they mean to spend it easily. I would suggest that an independent inquiry should be instituted into the condition of the Royal Barracks, because I am convinced that what is needed could be done at a much less cost than is contemplated. Also, I should like to know what is going to be done at the Curragh, whether any portion of the money is going to be spent there? Not long ago we received very unsatisfactory replies from the right hon. Gentleman as to the sanitary condition of the permanent barracks there.

*MR. E. STANHOPE: There will be at least £420,000 at the Curragh.

DR. TANNER: And at the Royal Barracks?

*MR. E. STANHOPE: I cannot give the exact figure, but a considerable sum of money will be required to be expended there.

DR. TANNER: Then, is a great portion of the existing structure to be pulled down?

*MR. E. STANHOPE: Only a portion, because the walls are not strong enough to support the stores we propose to place there. The main portion will not be pulled down.

(8.30.) Question put, and negatived.

Clause agreed to.

Clause 6.

(9.7.) SIR G. CAMPBELL rose.

DR. TANNER: I beg, Mr. Courtney, to call your attention to the fact that there are not 40 Members present.

(9.7.) THE CHAIRMAN: In the face of the fact of so large a number of Members having been recently in attendance it would be trifling with the House to count. Sir George Campbell.

(9.8.) SIR G. CAMPBELL: I beg to move the Amendment which stands in my name.

(9.8.) DR. TANNER: Am I to understand, Sir, that I am not within my right——

THE CHAIRMAN: Order, order!

(9.8.) DR. TANNER: Am I not within my right—seeing that half-an-hour has elapsed since there was the large attendance to which you have referred, and that there may not be the number of Members in the premises—in calling your attention to the state of the House?

(9.9.) THE CHAIRMAN: Order, order! There is authority for my action, and I am acting upon that authority. Sir George Campbell.

(9.9.) SIR G. CAMPBELL: I beg to move the omission of Clause 6, which gives power to the Treasury to borrow or raise money for the purposes of the Act. I say, as I have said before, that I do not object to spending money upon

barracks, provided that the money is raised in the right way; but I object to this un-Constitutional and unjustifiable method of borrowing money in a time of peace and of great prosperity, when there ought to be plenty of money in the Treasury. No doubt we are indebted to the head of the Foreign Office and the Ministry for the fact that at the present moment we have complete peace; but it is because we have that complete peace that I object to the extraordinary and preposterous proposal to borrow money for a necessary public purpose. Barracks are a necessary purpose. If we keep up an Army we must have barracks to house the men. The barracks we have are insufficient, and it seems to me that if we have spent too little on them in previous years we ought to take advantage of a good and prosperous year when we have a surplus, and make up for the insufficiency out of that surplus. I find that the right hon. Gentleman the Member for Wolverhampton raised the question on the measure for Naval Defence last year, and showed that the plan proposed by the Government was without precedent, and that, when spending money on a similar object, Lord Palmerston had only borrowed from year to year, taking Parliamentary sanction for what he did each year. I hold that this year there is no necessity for borrowing, seeing that there is plenty of money in the Exchequer, and that the Chancellor of the Exchequer has made provision for paying away large sums for purposes which are absolutely unnecessary, and which are distasteful to the majority of the people of this country. According to the figures obtained by the right hon. Gentleman the Member for Bradford (Mr. Shaw Lefevre) it seems that the cost of the defences of the country has reached an enormous amount, namely, £38,321,433. But that is not all, because we now have this expenditure on barracks. We are this year finding £300,000 out of the Budget surplus for barracks. I should like to know if that is all we are going to spend this year?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): Yes.

SIR G. CAMPBELL: Then I think it ought not to be. To my mind a great deal more should be spent, if all we hear is true with regard to the Dublin Barracks and the Aldershot huts. The proposal of the Bill will give the Government power to borrow without coming to Parliament, and that I hold to be a very objectionable power, which should not be allowed. The Government proposal, moreover, seems to me very like the old evil practice which has been so strongly condemned in times past of granting enormous subventions in aid of local rates. No doubt the people who get the subventions——

THE CHAIRMAN: Order, order!

SIR G. CAMPBELL: My argument is that this money is given in a way that it ought not to be given, and that the barracks ought to be built out of the surplus, and not out of money borrowed for the purpose. The Government, it seems, are going to put off the construction of the barracks.

MR. GOSCHEN: The hon. Member, I presume, does not wish to misrepresent my statement. I asked the Secretary of State for War what was the maximum amount he wished to spend this year, as I was prepared to find out of the Revenue of the year the sum required. I was assured that the amount stated in the Bill was the maximum which would be required for the present year. We take no power to borrow in future years.

(9.18.) DR. CLARK (Caithness): I beg, Sir, to call your attention to the fact that there are not 40 Members present.

THE CHAIRMAN: Order, order!

DR. CLARK: There are not 40 Members present, Sir.

THE CHAIRMAN: The hon. Member cannot be aware of the circumstances under which I have just declined to take notice of a similar observation.

DR. CLARK: Are there 40 Members present?

THE CHAIRMAN: Sir George Campbell.

(9.20.) SIR G. CAMPBELL: The Government, I suppose, can borrow money in future years without coming to Parliament for sanction, and that is what I object to. It puts us in a very difficult position. We have heard from the Secretary for War that the condition of the Dublin barracks is extremely bad—that some of the officers have been dying—and it seems to me that the necessities are so great that there will

be a remissness on our part if obtaining power to raise £4,100,000 we do not spend more than £300,000 in the present year. We are told on the highest authority that Lord Palmerston did not ask for authority to borrow money in future years, and that for the permanent defences of the country he only borrowed the money he required for the then current year. What are the Government doing by this clause? They say, "We do not want to borrow money during the present year, but we want to take this matter out of the hands of future Parliaments." That is to say, they want now, in a thin House, when almost everybody is away at dinner, and 40 Members are not present, to take power which will enable them to spend money in future years without coming to Parliament for power to do so. They want to escape from the control of Parliament, and to be able to snap their fingers at this House. The proposal is distinctly un-Constitutional, and on that and every other ground I am entitled, I think, to move that this clause be deleted.

Amendment moved, pages 4 and 5, to leave out Clause 6.—(*Sir G. Campbell.*)

Question proposed, "That Clause 6 stand part of the Bill."

(9.25.) DR. TANNER: I trust the Committee will have an opportunity of dividing on this clause. I would ask to be allowed to say that when I moved a count just now it was quite as much for the purpose of letting the Members know that you, Sir, had taken the Chair as for any other purpose. I wished to give hon. Members an opportunity of being present in their places, and of assisting in the discussion of this question. I trust, Sir, that you will pardon my making this remark. When the messenger from the House goes down into the Lobby and says, "The Chairman is in the Chair," nine hon. Members out of ten do not hear him, and do not come and take their places. It was for the purpose of bringing them in that I called attention to the fact that there were not 40 Members present. I have called attention to the fact that a large number of these barracks are in a bad state. I will not refer to the matter any further now, but will leave it to the responsibility of the Government. I will only say that it appears to me extraordinary that at a time when they have a surplus of £3,500,000 the Government should come and ask us to pledge the country to the extent proposed in the Bill. The Chancellor of the Exchequer had all the facts before him at the commencement of the Session. He knew this large amount of money was to be spent in fixing up the barracks in England, Ireland, and Scotland, and I think it would have been far wiser on his part to have devoted the money of his surplus to this purpose rather than to an attempt to enrich the publicans of the country. If he had done this it would have been far more in the interests of economy and he would have found himself in a far happier position than that which he now unfortunately occupies. However, it is never too late to mend, and I sincerely trust the right hon. Gentleman will accept the advice which has been tendered to him by the hon. Member who moved the Amendment, and omit this portion of the Bill. If he does not do that, at any rate let him agree to pay this money out of the surplus that may accrue next year. I did not rise for the purpose of prolonging the Debate, as I think it would be unwise to do so, but unless we receive some reply from a responsible Minister of the Crown we shall have to divide the Committee.

(9.29.) MR. GOSCHEN: I cannot complain of hon. Members like the Member for Kirkcaldy keeping an eye on the proposals of the Government, but I must say I think he has not quite appreciated those proposals. We have followed the precedent of 1872, save that during the present Session I have thought it right to pay the amount necessary this year out of the surplus. And in regard to the execution of great works, we have followed the course of not allowing the cost to fall on one particular year, and have taken power to borrow in future years. If we had borrowed no money during this year, the charge would fall on following years. In what we are doing we are really bearing our share.

(9.31.) SIR G. CAMPBELL: I quite admit my mistake with regard to the present year, but I think the observations of the right hon. Gentleman enormously strengthen my position. The Government are going to borrow in future years, though they do not know

whether the money will be wanted or not. We have the precedent set by Lord Palmerston in regard to very large defence works in borrowing money for the current year and not for future years. It does seem to me a very grave and serious consideration. How do we know what will be the state of finance next year? It is extremely probable that the Chancellor of the Exchequer will not require to borrow next year. Why should he take away from a future Parliament the decision whether or not the money should be borrowed? I am convinced that this is a great Constitutional question, and I must go to a Division.

(9.35.) The Committee divided:—Ayes 134; Noes 79.—(Div. List, No. 160.)

Amendments made.

*Mr. E. STANHOPE: The object of the clause I am about to move is solely that when a question of compensation arises it shall be settled by an arbitrator instead of by a Jury.

New Clause—

"Where land is acquired under 'The Defence Act, 1842,' and the Acts amending the same, the compensation to be paid for the land may, if both parties agree, be settled by arbitration, instead of by reference to a Jury, and thereupon the provisions of the Lands Clauses Acts shall apply as in the case of an arbitration under those Acts,"

—brought up, and read first time.

Motion made, and Question proposed, "That the clause be now read a second time."—(*Mr. E. Stanhope.*)

Mr. MUNRO FERGUSON: I hope, Mr. Courtney, we may regard this clause as likely to be thoroughly effective in practice. I say that because I believe the question of the defences of the Forth has been retarded by the impossibility or difficulty of acquiring lands for the purpose.

*Mr. E. STANHOPE: I can only hope that the principle of the clause will be effective.

Question put, and agreed to.

Clause read a second time, and added to the Bill.

Bill reported as amended, to be considered to-morrow.

Sir G. Campbell

WESTERN AUSTRALIA CONSTITUTION (RE-COMMITTED) BILL.—(No. 256.)

COMMITTEE.

Bill considered in Committee.

(In the Committee.)

Clause 1.

(9.50.) Sir G. CAMPBELL (Kirkcaldy, &c.): I have to move that this clause be postponed until the other clauses have been dealt with. I think I shall be able to show that the other clauses all hang together on this clause. It is unfortunate that we cannot discuss the Bill as a whole, because it is a measure which appears to me to involve large political considerations.

The CHAIRMAN: The hon. Member can hardly enter into a general discussion on a Motion to postpone a clause.

Sir G. CAMPBELL: This is the clause which gives responsible Government to Western Australia. As long ago as about the year 1850 an Act was passed which enabled the colony to reform its own Constitution, subject to the condition that such reform would require Her Majesty's assent, after a Bill on the subject had been laid before Parliament. This clause removes that disability, and enables Western Australia to reform its Constitution without coming to Parliament at all. It seems to me that the clause involves an enormous Constitutional question, namely, whether we are to hand over a large part of this enormous continent to a mere handful of people—something less than the population of a third rate English town. I have, of course, great sympathy with the principle of self-government, and if it were the sole object of the Bill to confer a popular form of Government upon the people I should not oppose the clause, but if it turns out, as I think it will, that this proposal is not to establish a popular Government, but an oligarchical Government, which the people of Western Australia do not want, I think the House would do well to pause before passing this part of the Bill. What this Bill proposes to do is to hand over to the colonists complete, absolute, and uncontrolled power over this enormous territory, the main part of which is unoccupied and unexplored.

(10.0.) The CHAIRMAN: I must point out to the hon. Member that his

Amendment is merely to postpone the clause, and he must confine himself to that Amendment.

SIR G. CAMPBELL: I beg pardon; I was just about to approach that subject. When this Bill was in Committee my hon. Friend the Member for Carmarthenshire moved the postponement of this clause, for the same reasons as actuate myself. We have been told distinctly and positively that the colonists will not have a responsible Government unless they get complete control over the whole of Western Australia, a demand which, I think, ought not to be satisfied. The form of the Constitution to be given to Western Australia was not thrashed out before the Committee. We were told that the question was practically settled by the Second Reading, and that that was not a matter for the Committee. I agree with my hon. Friend below me, who has taken great interest in this question, that if we are to give up this territory and to confer on the colonists the enormous powers they ask for, they ought to be given to a popular Government, and not to a narrow oligarchy. The Select Committee which considered this subject sat for 10 days, during nine of which they took the evidence of official witnesses in support of the Bill, and on the 10th they heard the evidence of another witness on one specific objection. As other witnesses were not then forthcoming, the Committee did not think it desirable to take any more witnesses, and they refused to hear the evidence of one competent individual whom I tendered as a witness.

THE CHAIRMAN: I do not see how this line of argument can be made relevant to an Amendment to postpone Clause 1.

SIR G. CAMPBELL: Very well, Sir, I will pass from that. My reason for moving the postponement of the clause is that the Committee did not hear both sides of the question. I protested against the matter being hurried over because there were delegates in this country whose object was to get this Bill passed as soon as possible. Only one day was given to the consideration of the Report, which was gone through as though the House was dealing with a Provisional Order Bill. I think the House will probably give very careful consideration to the matter before it passes this Clause. The origin of this demand for responsible Government was this—Western Australia is a somewhat old colony—

THE CHAIRMAN: The hon. Member has given notice of a Motion to postpone Clause 1. I do not see how his present line of argument bears on that Motion.

SIR G. CAMPBELL: Then I will postpone my observations on that point until we come to the Clause to which they will be more relevant. Why I ask the House to postpone the Clause is, because delegates have come from Australia who say they do not want the provision unless they get control over this land, and the question of that control is dealt with in Clause 3.

Amendment proposed, "That Clause 1 be postponed."—(*Sir G. Campbell.*)

(10.9.) MR. J. MORLEY (Newcastle-upon-Tyne): It is very disagreeable to me to differ from my hon. Friend, but as we were both Members of the same Committee, I may be allowed to say a word for two on the observations that have fallen from him. So far as I know, the Members of the Committee entered upon their inquiry without any unfair prepossession or bias, although they might have had their leanings. But the hon. Member brought to the work a tremendous bias.

SIR G. CAMPBELL: Certainly.

MR. J. MORLEY: The hon. Member has just made a Second Reading speech, but what the Committee had to do was to accept the Bill as having been read a second time. The hon. Member says we were too rapid. Well, we listened with the greatest patience to the evidence that was tendered, and to many questions which did not seem to all of us to be very relevant; and so far from being very rapid we were exceedingly deliberate. He says that certain evidence was refused. He refers, I believe, to the case of a certain Mr. Simpson.

SIR G. CAMPBELL: And Chief Justice Onslow.

MR. J. MORLEY: The only evidence the hon. Gentleman offered to produce was that of Mr. Simpson, who could not be found when wanted; but Mr. Simpson called upon me, and the result of a long conversation was to show that the evidence of Mr. Simpson would have

gone against the contentions of my hon. Friend. I asked Mr. Simpson, "Are you in favour of reserving these lands to the Home Government?" And his answer was, "Certainly not; you must leave the control of all the lands to the Western Australians." If my hon. Friend doubts my recollection I can show him the memorandum I made of the conversation. On the point that we only took one day to consider the Report, I would remind the Committee that we listened to all the arguments that were adduced for the clauses, and gave all the weight we reasonably could to the arguments my hon. Friend produced and reiterated, and I do not believe that if we had spent a week over the Report we should have been in the least likely to come to the conclusion offered by the hon. Member. If this House is to be relieved from the immense burden of work that presses upon it, it must confide matters of this kind to well chosen Committees. I believe that all sides of the House are agreed as to the Report of the Committee in the case of this Bill, and I ask, what will it avail to refer a measure of this kind to a well chosen and assiduous Committee if, after the House has assented to the principle of the Bill by reading it a second time, all the details are to be threshed out again on the floor of the House? Unless there are some more cogent reasons than have been adduced, the Committee will be embarking on a most mischievous course if they now lend themselves to a re-discussion of all that has been settled by the Second Reading, and authorised by the Committee.

*(10.16.) THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. DE WORMS, Liverpool, East Toxteth): I think I can add very little to the observations of the right hon. Gentleman. I should be contravening your ruling, Sir, if I were to answer all the arguments of the hon. Member for Kirkcaldy. It will be remembered that when the principle of the Bill was affirmed on the Second Reading, it was determined by the House to refer it to a Select Committee for the purpose of disposing of the very details now raised. The hon. Member for Kirkcaldy has repeated an argument that the Committee to whom the Bill was referred had not an opportunity of hearing evidence on the other side. The fact, however, is, that no such evidence was tendered, the only witness who came forward being a witness adverse to the hon. Member himself. He mentions Chief Justice Onslow, but that name was never mentioned.

SIR G. CAMPBELL: I mentioned it to the Chairman.

*BARON H. DE WORMS: He may have mentioned his name, but he did not produce him as a witness, or say that he intended to do so. All the evidence he produced was in the form of a letter from a gentleman in Albany, who desired some fanciful division of South Western Australia, and the formation of a district which he would call "Albania." As to the argument that in the Committee itself the question was raised of postponing Clause 1, the hon. Member omitted to state that on a Division three Members, including himself, voted for that proposal, and 11 against it. Therefore, this Committee may reasonably assume that the question has been thoroughly threshed out in the Select Committee. The Government cannot agree to the proposal of the hon. Gentleman. The Committee devoted a great deal of time and careful attention to the consideration of the Bill, and to postpone Clause 1 now would be to re-open the whole question, which was decided by the House on the Second Reading.

(10.20.) MR. MUNRO FERGUSON (Leith, &c.): I sincerely trust that the hon. Member will withdraw the Motion. If he has any suspicion of Members who sat on the Committee having been biased, at any rate I cannot be accused of any bias against the hon. Member for Kirkcaldy on this question. If I had been on the Committee I should have endeavoured to get what evidence I could in support of the view I held, and still hold, against the principle of the Bill; and if that evidence was not forthcoming on the Committee, it was the fault of those holding the opinion of the hon. Member for Kirkcaldy. We have had a most careful inquiry, and I think that besides the Report presented to the House, there are other considerations, which I cannot enter into, which make it enormously important that a settlement should be arrived at on the question without further delay. I have never altered my opinion that the principle on which the Government are

acting is a wrong principle. I cannot give my reasons for that. If I had an alternative proposal to offer I should oppose the Bill, but I have no alternative proposal to that which is contained in the provisions of the Bill; and seeing that that is so, and that if we can do nothing else we have at least an opportunity of cementing the alliance between Australia and the Mother Country, I trust that, the Bill passing rapidly through, we shall at last finish this much-agitated matter.

*(10.23.) MR. T. H. BOLTON (St. Pancras, N.): It is difficult for independent Members to exercise any influence upon the Bill at this stage on account of the understanding that seems to have been arrived at by the two Front Benches that the Bill shall pass. There has been no opportunity for a full Second Reading Debate, especially as regards the larger and more Imperial aspects of the subject. I think the Committee should not have confined itself merely to reviewing the evidence of witnesses tendered on the part of Western Australian Colonists, but should have taken means to get full evidence bearing upon the whole question of the policy on which the Bill is based. It was in that sense that the Bill was referred to the Committee.

THE CHAIRMAN: Order, order! The hon. Member is wandering from the Question before us, which is the postponement of Clause 1.

*MR. BOLTON: It is proposed to postpone this clause, with the view of considering a later Amendment of the hon. Member which will raise the question of the reservation of a large portion of the lands of this colony to be controlled by the Imperial Government, or by the Associated Colonies of Australia. It is difficult to discuss the question raised by the hon. Member without reference to the circumstances under which the Second Reading of the Bill was passed. It would appear, however, that the two Front Benches are adopting a Parliamentary manœuvre for the purpose of forcing the Bill through, and I warn them that in so doing they are not acting in accordance with the desires of the people of this country. I gladly support the proposal of my hon. Friend.

(10.26.) MR. W. REDMOND (Fermanagh, N.): I must say that when an hon. Member who has not distinguished himself in connection with Australian affairs comes forward and accuses Members who have been assiduous in their devotion to the interests of the colony of being party to a Parliamentary manœuvre, he cannot have a great regard for true Imperial interests. As to witnesses being brought against the Bill, none came, and for a very good reason—because in Western Australia there is no opposition to the Bill. The hon. Member for Kirkcaldy said that the delegates in favour of the Bill were sent over here at the public expense; but we can rest assured that if there had been any genuine feeling against the measure its opponents in the Colony would have found the money somewhere to bring them over to give expression to their opposition. Although I did not have an opportunity of attending the meetings of the Committee I obtained evidence from delegates from Western Australia, and I am in a position to say that there is a unanimous feeling in favour of the Bill in the Colony.

(10.29.) MR. W. A. M'ARTHUR (Cornwall, Mid., St. Austell): I think the House will hesitate before it accepts the views of a Metropolitan Member and a Scotch Representative in preference to the unanimous opinions of the people of the Colony interested. Every Australian Government, without exception, not only supports the Bill, but has instructed its Agents here to press it forward in order that its passing into law may not be delayed. In face of facts like these it is simply trifling with the time of Parliament and wasting opportunities which might usefully be utilised otherwise to thresh out for the twentieth time matters which have been definitely settled by the House, and about which the people of Australia are in absolute unanimity. I trust the hon. Member will not think it necessary to obstruct the Bill any further.

(10.30.) SIR G. CAMPBELL: I may be allowed to say a word of explanation. I cannot enter into the question which has been raised by the last speaker. I maintain that it is not a question as to whether the Australian people are united on this subject, but whether the people of this country wish to part with that territory. I think that my right

hon. Friend (Mr. J. Morley) is mistaken in regard to the evidence of Mr. Simpson, who is the friend and associate of the Member for the Albany Division of Western Australia. Mr. Simpson is strongly in favour of retaining a large part of the temperate southern territory, and of not giving in a hasty way responsible Government to Western Australia. I will not, however, press the matter further now; it is, perhaps, better that we should reserve what we have to say until we reach Clause 2.

DR. CLARK (Caithness): I am opposed to the policy advocated by the hon. Member for Kirkcaldy, but I could not conscientiously support a Bill which contains a number of pernicious principles. I cannot support a Bill which lays down a land qualification which, I believe, will play into the hands of the squatting minority.

THE CHAIRMAN: The hon. Member for Kirkcaldy has withdrawn his Amendment. The hon. Gentleman is anticipating a Debate which may arise later on.

Amendment, by leave, withdrawn.

*(10.33.) MR. CHANNING (Northampton, E.): I would not intrude myself upon the attention of the Committee if I had not been requested to bring the point dealing with my Amendment before the Committee by certain persons in Western Australia with whom I am connected. I say at once I am heartily in sympathy with the general principle of the Bill, but I do not think there is that unanimous support in favour of the Bill in the form in which it is laid before the House, either in Western Australia or in Australia generally, which is claimed for it. Everyone in Western Australia wants responsible government, and the land to be in the hands of the people; but the delegates who have brought forward this question and those who have framed this Bill, are, in my opinion, wishing to obtain the control of the land for a section of the community, whereas those for whom I speak wish to get the control of the land for the whole of the community. What I have to propose is to add at the end of the clause—

"Provided that such Order in Council shall not be made until the said Scheduled Bill has been amended in the following particulars (that is to say) by the abolition of the property qualification for a Member to be elected to the Legislative Assembly, and by omitting 'and' in line 24 of Sub-section (3) of Section 39, and inserting 'or' instead thereof."

The practical effect of the latter part of the Amendment would be to substitute for the £10 householder and lodger franchise proposed by the Bill manhood suffrage. What the Bill proposes is that there should be a property qualification both for the Legislative Council and the Legislative Assembly, and until six years have expired, and until the population has increased to 60,000, the Upper House has to be a nominee House. Hon. Members who know anything about Australia know that in the other Australian colonies the qualification for the Lower House is that a man should be on the electoral roll; that manhood suffrage is the basis of the franchise; and that in most colonies a six months' residence only is required. We may be told we have no right to deal with this question. It is perfectly within our power to withhold our assent to the Scheduled Bill, and I think we would be amply justified in doing so if we can show that the people of Western Australia are not in favour of the details of the Bill. My point is that we ought to postpone this matter till a Bill is framed which really represents the wishes of the great majority of the Western Australian people, and I can call no better evidence of the substantial ground on which I am asking the Committee to come to this decision than that of the late Governor, Sir F. N. Broome, who, before the Select Committee, said—

"If the question of the property qualification were to be put to the whole people of Western Australia, they would reject the property qualification by five or six to one."

I think that we ought to do everything we can to get a loyal support in Australia, and this we can do by following the instincts and wishes of the people. I must complain of the action of the Colonial Office in not taking the opportunity which was open to them two years ago, when the first draft Bill was sent over to them to deal with this question. Instead of adopting the advice of Sir F. N. Broome, that the Legislative Council should be made an Elective Council, the Colonial Office insisted that the Upper House should be a nominee House. The Colonial Office lost a favourable opportunity of winning the approval and

consolidating the good will of the masses of Australia. I shall be told that we ought to go by local opinion [Mr. J. MORLEY: "Hear, hear."] My right hon. Friend cheers that. I will give some local opinion. I will give the opinion of Mr. Hensman, the leader of the popular Party in Western Australia, a man whose integrity and sound judgment, I am sure the Colonial Secretary will be ready to admit. His point is that the property qualification is not fair in Western Australia, for the simple reason that there are many suitable men who have not the means to serve with this qualification. He says:—

"There has been great difficulty in this poor community, where every one almost works for his living, in getting 17 men who have the property, and are willing to give up two or three months a year to the work."

That is as to the existing Council. Turning to the provisions of this Bill, he says:—

"The Bill proposes two Chambers—the Council with 15 members, and the Assembly with 30 members. They cannot get 45 men with the qualification who will be content to give up one third of the year to do this duty. The property qualification is absurd here. . . . The great objection is that it will prevent a number of honest men, who may be in all other respects suitable, from giving their services to the public. . . . The intention of this clause is to keep the management of affairs in the hands of the clique who now rule the roost. In no other colony is there any property qualification for the Lower House. It will be a different Constitution from the other self-governing colonies of Australia, and this at a time when federation is being insisted on."

The opinion of Australians has been referred to. Well, Sir Samuel Griffiths has said that the property qualification of this Bill is not only an anomaly but an absurdity, and in one of his despatches Sir F. N. Broome drew attention to the fact of the great difficulty of obtaining a sufficient number of qualified men to serve on these Legislative Bodies. He drew attention to it in words which have special bearing on the character of this Bill. He said, for instance, in 1884 that there were not enough men in the colony with sufficient leisure and means to serve in the way required. Mr. Parker, one of the delegates who gave evidence before the Select Committee, drew attention to the fact that when the question of the property qualification for the Lower House was before the Legislative Assembly, a great majority of the elected representatives of Western Australia voted for the abolition of the property qualification in this Bill, and that the property qualification in the Scheduled Bill was only retained by means of the votes of the nominee members. Allusion was made, in the evidence, to an election which took place two years ago when this Bill was under discussion in the town of Perth, which contains one-fourth of the whole population of the colony, in which election the candidate who stood on the platform of manhood suffrage and the abolition of the property qualification was returned by an enormous majority. Therefore, I think I am justified in saying that public opinion, as expressed by the evidence of Sir F. N. Broome, by the votes of the elected representatives of Western Australia, and by a test election that has taken place on this question, is clearly in favour of the contention I have laid before the Committee. What adequate reason, then, does there exist for our giving the Australians this narrow and stunted Constitution against the will of the people? We have two reasons given in the evidence laid before the Committee. One reason is given, and given freely enough, by Sir F. N. Broome, in a despatch dated April 14th, 1888, and covering a Petition against responsible Government sent to Her Majesty's Government, and signed by 80 or 90 of the leading capitalists and monied men in Western Australia. He said—

"This Petition is signed by a body of most respectable and sterling settlers, every one of whom has a substantial stake in the colony. I do not think this Petition can over-ride the expressed wish of the Colonial Legislature, but it may be taken in evidence of the wisdom of not casting the new Constitution in too Radical a mould. The Conservative minority in this community is strong, not only in property qualification, but also in sober judgment and sound sense; and the views of those who compose it should weigh, at least, so far as to lead Her Majesty's Government to guard the new Constitution very carefully against mob rule."

The franchise, then, is to be restricted with the deliberate intention of protecting the monied classes from what Sir F. N. Broome calls mob rule. I shall be much surprised if I find any of those who sit around me and claim to be Radicals, agree with that interpretation of the

duties of the State towards the people of Western Australia. I state that this is one reason for this Bill which was given in the evidence before the Committee. There is another and absolutely contradictory version given, and that is given by Mr. Parker, a delegate who came forward on behalf of the Legislature of Western Australia. He poses as the representative of the Popular Party, but I have considerable doubt as to his legitimate claim to figure in that part. He gave as a reason for wanting this Bill that, as soon as the people get this Constitution, they will be able to sweep away the property qualification and the restricted franchise, and they will take steps to break up the land monopoly in Western Australia, by passing a Land Tax and Succession Duty similar to that passed in other Australian Colonies. I doubt this view, and believe the view put forward by Sir F. N. Broome. The whole history of the origin of this Bill shows that it has been promoted and shaped by a narrow clique of moneyed men who do rule, and have ruled, and wish to continue to rule, the destinies of Western Australia. It is a Bill to enable the moneyed men of Western Australia to retain the control of the land question in their own hands. It is the Bill of those who wish to take the lion's share of land grants, such as the blocks of 12,000 acres per mile along the Albany and Beverly Railway—of those who wish to pick out the "eyes" of the land. It is said that the nominees of the Lower House will, of course, acquiesce in the resolution of that House in favour of abolishing the property qualification. Is that at all likely, when we have the evidence before us that when this Bill was before them the nominee element deliberately kept the property qualification in defiance of the wishes of the elected Representatives? I move this Amendment not only because I have been requested to do so by Western Australians, with whom I have been in constant correspondence, but because I feel that the lowering of the franchise and the abolition of the property qualification are essentially necessary in the interest of those English, Scotch, Welsh, and Irish immigrants who carry their strong hands and stout hearts to Western Australia, but who by this squatter oligarchy will be excluded for years to come from taking any share in the rule of the colony either as electors or as Members of the Lower House. As a Radical, I claim that they, as British subjects, have a right on going to Western Australia—which is British land, thank God, and I hope will remain so—to share in settling questions which affect their own interests and the interests of the colony to which they have attached themselves. I say that, in the interests of those men whom we expect to build up a great future for our colonies, and with the object of knitting more closely the feelings of confidence and friendship which exists between the colonies and the Mother Country, we ought, at least, to give the colonists fair play.

Amendment proposed,

At end of clause, to add the words "Provided that such Order in Council shall not be made until the said Scheduled Bill has been amended in the following particulars (that is to say) by the abolition of the property qualification for a member to be elected to the legislative assembly, and by omitting 'and' in Section 39, Subsection (3), page 13, line 24, and inserting 'or,'" —(*Mr. Channing,*)

—instead thereof.

Question proposed, "That those words be there added."

*(11.0.) BARON H. DE WORMS: I doubt whether the hon. Member has considered the Bill before the House, because he seems to have come to the conclusion that the proposed qualifications are inserted in that Bill. The hon. Member seems to have overlooked the fact that the Western Australians themselves introduced this property qualification in the scheduled Bill; and though the hon. Member claims to speak on behalf of the Western Australians, the Committee will be inclined to accept the clauses of the scheduled Bill in preference to the authority of the hon. Member himself.

*MR. CHANNING: Does the right hon. Gentleman contest the fact that the elected portion of the Legislature voted for the abolition of the property qualification?

*BARON H. DE WORMS: Yes; but the property qualification remains as the result of the deliberations of the Legislative Assembly. They ought to be the best judges of what they themselves desire. By the 32nd section of the 13th and 14th Vict. Western Australia and other colonies have the right exclusively con-

ferred upon them of making what conditions they like as to the qualifications for electors and elected Members. That is so, and I need not waste time upon arguing it. The hon. Member admits the Act confers that right, and in accordance with that Act they have inserted the provisions which are contained in the scheduled Bill. When the hon. Member says these provisions do not express the views of the people of Western Australia he must be aware that Mr. Hensman, to whom he has alluded, is a member of the Western Australian Legislature, and had an opportunity of expressing the views the hon. Member expresses by proxy. His views were not the views of the majority, and Mr. Parker, to whom the hon. Member has alluded, is the leader of the Liberal opposition in the Western Australia Legislative Assembly, and therefore, I think, as qualified and as able to express an opinion as the hon. Member. The Legislature in Western Australia Responsible Government will have the power of altering these qualifications when and if they think fit by subsequent statutory enactments of their own. If the hon. Member will look at Sections 5 and 73 of the schedule of the Bill he will see they will have that power, and they may some day use it. We have not the right or the power, under 13 and 14 Vict., cap. 50 and 59, to deprive Western Australia of the right conferred on the colony by Statute. [*Cries of* "No!"] If hon. Members will take the trouble to read they will see that I am correct. [*Cries of* "Read!"] It is so; the reference is open to any hon. Member——

SIR G. CAMPBELL: Order in Council, 30 days before this House.

*BARON H. DE WORMS: That power, I say, was given to Western Australia by the 13 & 14 Vict., caps. 50 and 59; and if hon. Gentlemen introduce this Amendment to the clause, it will simply have the effect of defeating the Bill. The Western Australians would not accept it; and they would be perfectly justified by Statute in refusing it.

*(11.5.) MR. T. H. BOLTON: I am not altogether opposing the Bill on the ground on which my hon. Friend (Mr. Channing) opposes it. I think it is very likely people in Western Australia, having at the present time responsibilities of Government, know the sort of qualifications that will probably suit the infant colony under its new conditions. They may think it desirable for a time that the suffrage should be restricted and that there should be qualifications for Members sitting in their Parliament; but if the arrangements are found to work unsatisfactorily, I have no doubt there will be sufficient force in public opinion to enlarge the suffrage and improve the arrangements connected with their Elective Assembly. I am, therefore, not prepared to oppose the Bill on that ground. But this Bill proposes to vest in this new Representative Assembly the full control of a vast territory——

THE CHAIRMAN: The Amendment moved is directed to an amendment of the schedule, and the hon. Member must confine himself to that.

*MR. BOLTON: Do I understand that I cannot refer to the original Motion in connection with the Amendment moved upon it? I am discussing the Amendment, but this does not deprive me of the opportunity of referring to the original proposition.

THE CHAIRMAN: There is no original Motion. An Amendment is moved to the clause. After that is disposed of, the question of the clause itself comes forward.

(11.8.) DR. CLARK: I had hoped for some information from the Under Secretary, but we only get an argument based on the statement that the people of Western Australia desire to have a property qualification, and will only have the Bill on this condition. As a matter of fact, the people of Western Australia—the bulk of them—the big majority of their elected Members, have voted against this property qualification, and the property qualification is only there because of the influence of Members nominated by a Government who have jobbed away millions of acres of land. These, with a small number of elected Members, have introduced the property qualification to keep power in the hands of a ring. The whole influence of the Government is based upon inaccurate information, and instead of retorting upon the hon. Member that he should seek information, the right hon. Gentleman should give us evidence from the colony. He will find the difference is as between 10 and 7. I am very anxious that Responsible Government should be conferred upon Western Australia, knowing how

this House treats all these colonial questions with contempt, and hon. Gentlemen opposite do not like to be troubled with these things which affect a bigger country than this, and likely to be greater than this has ever been; but I cannot support a Bill that will throw power for some time into the hands of men who have misused that power and have jobbed away millions of acres of land. I would support a Bill for a Constitution similar to the Democratic Constitution of all other Australian Colonies; but against the wish of the majority of the elected Representatives you are thrusting this Constitution upon the colony. The majority of the elected Members were against it, and only the nominated element carried it. It is for the purpose of retaining power in the hands of those who have misused it. Why should a man of £5 or £8 rental be disqualified, and the man who pays £10 be qualified? It is an absurdity in modern legislation. Why the exclusion of ministers of religion? We may have such men here, and often in the colonies the leading men are ministers of religion, who devote themselves to the support of religion. But you are going to disqualify this class, and why? I can understand a Clerk in Holy Orders being disqualified because he is a State-paid official, and by disfrocking he can qualify himself. Then, again, if a man absents himself from illness, or any other cause, for two months, he loses his qualification at once. We are not prepared to delegate to a Committee of 21 gentlemen full power of determining all these points. I am not prepared to follow the right hon. Gentleman the Member for Newcastle in maintaining this property qualification. I am strongly in favour of a Bill to confer Constitutional Government on Western Australia; but it should be a Bill giving power to the people such as is enjoyed in Great Britain, irrespective of whether a man holds a large amount of freehold property or not.

(11.13.) MR. G. OSBORNE MORGAN (Denbighshire, E): My hon. Friend is really trying to induce the Government to impose conditions against the wishes expressed by the people of Western Australia. The people there have settled the matter in Constitutional manner under the Act 13 & 14 Vict., and have passed their Bill. Wise or not in our judgment the Bill may be, but I am of opinion that the people of Western Australia are far more competent to form a judgment upon the points that have been raised than we who live so many thousand miles away from that country. We do not understand what the franchise means out there. Mr. Carter, who opposed the property qualification, said he had not the slightest doubt that as soon as the colony had this Constitution, the property qualification would be completely swept away, and the franchise would be reduced to something approaching manhood suffrage. Witness after witness in giving evidence asserted that this franchise which the Western Australian Legislature have now established is exactly the same as, or perhaps even less restricted than, the franchise originally established in the other Australian Colonies, where it has been widened step by step. It would be a monstrous thing to hang up this Bill indefinitely, and so to deprive the people of Western Australia of the advantages which they desire to acquire, in order that hon. Members in this House may give effect to their own particular views.

(11.15.) MR. FLYNN (Cork, N.): I have no wish to deprive the people of Western Australia of the Bill, and have no reluctance to entrust them with this power. I have carefully read the evidence given, and I have listened to the speech of the hon. Member for Northamptonshire, and certainly I think that if it is in the power of this House to make the Amendment, it is necessary to make the Bill what it ought to be. I observe the right hon. Gentleman did not read us the particular part of the schedule of the Act 13 & 14 Vict. which deals with this particular point. The right hon. Gentleman said it will be in the power of the Legislature of Western Australia to abolish this property qualification in the future, and, as I understand, it is quite within the power of Western Australia to accept the Bill with this Amendment. I conceive it to be the duty of every friend of Manhood Suffrage to support this Amendment. I approached the Bill with an open mind. I was told it was absolutely necessary to pass the Bill this Session in order that Western Australia might have the benefit of it, and I assented to that. But now I find that it is not absolutely necessary

to pass the Bill rapidly if we are not satisfied with it. If it is possible to add the Amendment, and Western Australia can still accept the Bill. I hope the Amendment will be pressed.

(11.16.) MR. SEXTON (Belfast, W.): In the interest of Members who are disposed to facilitate the progress of the Bill, but take exception to details, I would ask will it be in order to propose any Amendments to the text of the scheduled Bill?

THE CHAIRMAN: No, I think not. It is a mere historical statement of what passed in the Legislature of Western Australia.

(11.17.) MR. DEASY (Mayo, W.): There seems to be a general impression that, if the Amendment were accepted, the result would be to hang up the Bill for another year. That is not so. An Order in Council may determine whether this Amendment can be accepted or not, and it will be for the Privy Council to advise Her Majesty whether the Bill should be sanctioned or not. This is an important point that influences me in my opinion whether I ought to support this Amendment. If I thought that it would have the effect of putting an end to legislation of this kind for a year I would not vote for it. I would not be a party to preventing the people of Western Australia from managing their own affairs according to their own wishes, but I feel it is essential for good government that the colony should have a really popular franchise such as obtains in the other colonies. If you restrict the franchise in the manner proposed you may rest assured that continual agitation and dissatisfaction will result, while a great deal of the property of the colony will become alienated in the interests of the few who will govern under this Bill. Whatever may be said to the contrary, half a dozen families guide the destinies of Western Australia. In a short time, no doubt, as public opinion advances, these men will have to change their views, and democratic principles will prevail; but, in the meantime, they will simply be feathering their own nests, and when the people come to look after their own affairs they will find very little to administer, inasmuch as everything worth having will have been appropriated. It will be a regretful thing if this Bill is sanctioned by Parliament in this form. I trust that the Amendment will be introduced, and I am sure it will in no way retard the progress of the measure. It has been urged again and again that the restrictive franchise will have no practical effect on the Government of the colony. If that is so, why retain these objectionable provisions; why not abolish these restrictions, and put the Government of the colony, practically speaking, into the hands of the people? I know that words are attributed to Sir Napier Broome to the effect that to lower the franchise will be to give mob rule, but I cannot reconcile this with the known condition of things. My own opinion is, that unless a Constitution similar in every respect to those which obtain in other colonies is given to Western Australia, the question will not be regarded as satisfactorily settled. You will have it reopened from time to time. I do not wish to prolong debate. I am anxious to see this Bill pass in an amended form; and I trust Radical Members, who have always been on the side of household suffrage and manhood suffrage, will not permit such a clause to go through without such an Amendment as this moved by my hon. Friend.

(11.23.) THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The hon. Gentleman who has just sat down appears to be under a misapprehension as to the powers of the House. Both he and the hon. Gentleman who moved the Amendment talk as if the House were imposing a restricted suffrage upon the people of Western Australia. It is doing nothing of the kind. The power of the British Parliament is simply either to accept or reject the Constitution the colony itself has passed. The colony, under the powers conferred on it by the Act 13 and 14 Vict., c. 59, has passed a Constitution, and the House can accept or reject it, but cannot amend it. The effect of accepting the Amendment would be to refuse a Constitution to Western Australia until the House has compelled the colony to amend the Act. I cannot conceive any more offensive and tyrannical way of imposing a Constitution on a colony. It is because I am strongly in favour of Local Self-Government and of Home Rule for the colonies, and of leaving them to say that a particular Constitution will suit them, that I strongly object to this Amendment. The

Committee may be perfectly at ease as to the progress of free institutions in Western Australia. The Legislature which can amend the present Constitution Act can also amend the Act to which the House is invited to give its assent, and the Committee may very well trust the Legislature to be established by this Constitution to make such reforms as may be necessary for the interests of the colony. I therefore think the Committee should give its consent to the only Constitution it is possible for the British Parliament to give.

*(11.27.) MR. CREMER (Shoreditch, Haggerston): The speech we have just heard has filled me with amazement. As I understand the right hon. Gentleman, this House has no power to amend the Bill. Then why, may I be permitted to ask, were we allowed to enact the farce of passing the Bill through Committee if we have no power to amend the Bill submitted for our endorsement?

*BARON H. DE WORMS: The scheduled Bill cannot be altered; the Bill itself may be.

*MR. CREMER: We are asked to pass a Bill which creates a property qualification and confers a restricted franchise, a qualification fortunately long since abolished in this country, and a franchise restriction that has disappeared from among us. We are invited, as it were, to take a step backward by this Bill, and this I decline to do. We are asked to enact for our kindred in Western Australia restrictions against which we long ago successfully struggled, and to this, I, as a Democrat, offer my sturdy opposition. I hope that a large minority, at least, of the Members of this House will register a solemn protest against the proposals of the Government as contained in this Bill.

*BARON H. DE WORMS: They are not the proposals of the Government.

*MR. CREMER: If the Bill is not being promoted by the Government, why are we asked to consider it? The Government might as well closure the Debate and tell us we must simply be dumb on the matter. If the Government are not promoting the Bill who are? Some of the proposals it contains are most extraordinary. The franchise proposed is one which the House of Commons would reject with indignation for itself, and why should it be imposed on the colony. The result of the Bill will be that a certain body of persons will get all the power into their own hands. I shall, as a Democrat, offer the most strenuous opposition to this measure, and I am amazed that the leaders of the Liberal Party should give their assent to such reactionary proposals.

(11.34.) MR. J. MORLEY: I will not go into the argument whether or not my hon. Friend is a good Democrat, but I may say I feel sure that my hon. Friend has only taken up his present position through a thorough misunderstanding. The scheduled Bill is no more the work of the Government than it is the work of the hon. Member himself. The Western Australian Legislature have full power to pass that schedule, containing the restrictions to which I no less than the hon. Member object, without coming to the House at all [Sir G. CAMPBELL: No], if they had not been obliged to get the assent of the British Parliament to matters dealing with land. The 25th and 26th Victoria enacts that the Legislative Council of Western Australia may alter the provisions for the election of Members to the Council and for the qualifications of electors and of the elected Members.

SIR G. CAMPBELL: Go on.

MR. J. MORLEY: Certainly I will go on. The enactment continues—

> "Provided always that every Bill passed by the Council shall be reserved for the signification of Her Majesty's pleasure thereon, and shall be laid before Parliament 30 days at least before Her Majesty's assent be given to it."

If the House wishes to take away the power to which that Statute refers, the House will have to repeal that Statute. My hon. Friend forgets that Mr. Brandreth, the legal representative of the Colonial Office, gave evidence before the Committee, to the effect that for the Imperial Parliament to interfere in any way in the qualifications of the electors of Western Australia the Statute which has been quoted this evening would have to be altered. This is a Bill which has been passed by the representative Government of Western Australia, whose definite decision in the matter I contend it is not for the House to override. If the Committee adopt the Amendment, the effect will be that they will have to send the Bill back to Western Australia to revise. The Colony certainly do not want that, for the immense weight of opinion

in Western Australia is strongly in favour of the whole Bill being passed, and passed without delay. Moreover, that is not merely the feeling of Western Australia; but, as an hon. Member has stated, the Agents-General representing the whole of Australia back up the demand, and I believe I am right in stating that they have waited on the First Lord of the Treasury and pressed him to fix a date for the passing of the Bill. That is an important fact, and would it be wise, because certain views are entertained in reference to property qualification for voting—views which I myself share—to oppose the wishes of the colonists in this matter, and to force those views upon Western Australia? Would it be wise to thus place ourselves in a false position, not only with reference to Western Australia, but the whole of the Australian Colonies? I believe not, and it is because I think it undesirable that this House should burden itself with interference in all that is done in distant Dependencies, because I believe that this work can be better done by those on the spot, who are best acquainted with the circumstances—in short, for the same reason that I am in favour of Home Rule in Ireland, that I support the Bill, and entreat the Committee not to delay passing it.

(11.43.) Mr. JOHNSTON rose in his place, and claimed to move, "That the Question be now put;" but the CHAIRMAN withheld his assent, and declined then to put that Question.

Debate resumed.

(11.44.) SIR G. CAMPBELL: I am glad the right hon. Gentleman has read to the Committee the words of the enactment. The important proviso is contained in the fact that these Bills must be reserved for the signification of Her Majesty's pleasure thereon, and that the Bill must be laid before both Houses of Parliament for the space of 30 days before Her Majesty's pleasure is signified. That means that if this House in that period requisitions Her Majesty not to approve the Bill, it will not be approved. This is a matter of Constitutional right, and I believe the passing of this Bill would only tend in years to come to increase the difficulties of popular Government.

(11.46.) MR. DEASY: The right hon. Gentleman on the Front Opposition Bench has interpreted my ideas. I would not for a single moment stand up and oppose this Bill on account of the prevailing opinion in Australia, although I do believe the Colony are making a great mistake in having this restricted franchise. I am in favour of Home Rule for Western Australia, and I believe the people there will not be content with anything but Home Rule. We may, and do, object to some of the details of this Bill, but I shall support it on broad principles.

(11.50.) DR. CLARK: I shall support the Amendment, because for 12 years there will be a Council not elected by the people, but appointed by the Governor, under the Bill as it stands, and then there will be a Council elected by a small section, namely, the wealthy class only. I desire, as strongly as anyone can, that the people of Western Australia shall have self-government; but by this Bill you are not giving it to them, you are definitely withholding it from them for a long period.

(11.51.) MR. W. REDMOND: I share the objection which has been expressed to the proposed property qualification, but the question is, whether the Bill before us with that qualification is not better for the people of Western Australia than a continuance of the present system. I have no hesitation in saying that the great majority of the people of the colony would infinitely prefer this Bill, and I cannot understand how anyone in favour of self-government can oppose or retard the measure. The sending back of the Bill to Western Australia to get re-considered the clause as to property qualification would postpone for a year certainly, and perhaps indefinitely, this extension of the liberties of the people, whereas if the Bill is carried I have no doubt that the colony will soon realise the wisdom of having an extended franchise.

*(11.54.) MR. CHANNING: I maintain that the hon. Member is wrong in contending that the Bill will be indefinitely postponed if this Amendment is passed. Her Majesty's Government will have the power to make an Order in Council at any time, and the House will not have to consider the Bill again.

(11.55.) MR. SEXTON (Belfast, W.): This Debate has manifestly raised a question of the utmost gravity, and one which ought not

to be hastily determined. I am one of a considerable number of Members who entertain doubts as to the Constitutional position of this question. We have been told that if the Bill is amended it must be referred back to the colony. We ought to know more on this, and I beg, therefore, to move the adjournment of the Debate.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Sexton.*)

*(11.56.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I hope that the House will not consent to the Motion. This question has been very carefully considered by a Committee in which the House has full confidence. If the Bill is not passed, Western Australia will have to remain under her present Constitution, which is open to many objections. All that the House can do is to accept and sanction that which the colony propose, or refuse it; we cannot change it.

(11.58.) MR. FLYNN: I am very much in the same position as my hon. Friend. We do not understand the Constitutional bearing of this Bill. I take it that the vast majority of us are in favour of the Bill, and it would delay it but a day or two if we agreed to this Motion and had time to consider——

(11.59.) Viscount GRIMSTON rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The Committee divided:—Ayes 245 Noes 108.—(Div. List, No. 161.)

Question put accordingly, "That the Chairman do report Progress, and ask leave to sit again."

(12.15.) The Committee divided:—Ayes 94; Noes 255.—(Div. List, No. 162.)

Whereupon Mr. WILLIAM HENRY SMITH rose in his place, and claimed "That the Original Question be now put."

Original Question put accordingly,

"That the words 'Provided that such Order in Council shall not be made until the said Scheduled Bill has been amended in the following particulars (that is to say) by the abolition of the property qualification for a Member to be elected to the legislative assembly, and by omitting 'and' in section 39, sub-section (3), page 13, line 24, and inserting 'or,'' be there added."

(12.30.) The Committee divided:—Ayes 81; Noes 255.—(Div. List, No. 163.)

It being after Midnight, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again to-morrow.

SUPREME COURT OF JUDICATURE (PROCEDURE) BILL.—(No. 245.)

COMMITTEE.

Bill considered in Committee.

(In the Committee.)

Clause 5.

(12.40.) DR. TANNER: I beg to move that you, Sir, report Progress.

(12.40.) MR. BRYCE (Aberdeen, S.): I would appeal to the hon. Member to allow this Bill to pass. It is approved of by the legal profession, and by many legal Members on either side of the House.

(12.41.) DR. TANNER: There are some Amendments to be made, and I wish the measure to be proceeded with at a quiet pace.

(12.41.) MR. SEXTON: I will make a personal appeal to my hon. Friend and remind him that this Bill is a non-contentious one, and has the support of hon. Members on all sides of the House.

DR. TANNER: I must persist.

Committee report Progress; to sit again To-morrow.

METROPOLIS MANAGEMENT AND BUILDING ACTS AMENDMENT (RECOMMITTED) BILL.—(No. 356.)

Bill considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again to-morrow.

METROPOLIS MANAGEMENT AMENDMENT ACT (1862) AMENDMENT (RECOMMITTED) BILL.—(No. 357.)

Bill considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again to-morrow.

House adjourned at five minutes before One o'clock.

An Asterisk at the commencement of a Speech indicates revision by the Member.
by Contract with H.M.'s Government.

HOUSE OF LORDS,

Friday, 27th June, 1890.

ALLOTMENTS ACT (1887) AMENDMENT BILL.

Read 1ª, and to be printed. (No. 151.)

THE ARMY IN INDIA.

*THE MARQUESS OF RIPON, in rising to call attention to the Papers relating to the organisation of the Army in India, and especially to the recommendation of successive Governments of India in favour of the abolition of the existing arrangements for the command-in-chief of the Madras and Bombay Armies, said: My Lords, although I propose to confine myself strictly to the single point adverted to in the notice which I have laid upon your Lordships' Table, I fear such is the importance of the question, that I shall have to take up a larger portion of your Lordships' time, and to request your indulgence to a greater extent than I should have desired, but I will endeavour to compress my observations within the briefest space which is consistent with making intelligible the case which I have to present to you. The single point of our great military organisation in India, to which I am anxious to invite your attention, relates to the existing arrangements for the chief commands of the Madras and Bombay Armies, those two Armies which are known as the Armies of the Minor Presidencies. It will be within the knowledge of most of your Lordships that the Madras and Bombay Armies have separate Commanders-in-Chief, and are also administered by separate Military Departments. The Commander-in-Chief in India is also the Commander-in-Chief of the Bengal Army, but for the other two Presidential Armies, there are distinct officers bearing that title, and exercising in the main the functions which attach to it. No doubt the Commander-in-Chief of the Army in India has now for a considerable time exercised, especially with regard to the British troops in that country, a certain amount of general control and direction, but for practical purposes of discipline and administration, the Armies of Madras and Bombay are under the command of their own Commanders-in-chief, and under the Military Departments connected with the Governments of those two Presidencies. Now, my Lords, it is very easy to see how this system sprang up, and the necessity which originally existed for an arrangement of this kind, because when those separate Armies were first brought into existence there were no railways, there were no electric telegraphs in India, and there were interposed between Madras, Bombay, and Bengal, vast territories of independent and often hostile native princes, so that it would have been practically—and I might almost say physically—impossible for one Central Commander-in-Chief in India to attend immediately to the discipline and administration of Armies at such vast distances from each other, and separated in the manner I have described. But, as your Lordships are well aware, a vast change has taken place in India since those days. Railways have been made connecting almost every part of the country with other districts, electric telegraphs are to be found everywhere, and by the processes of conquest or lapse, or annexation, or in some other way, most of those independent native States have disappeared, and there is an uninterrupted geographical communication between the three Presidencies. It is not to be wondered at that as the consequence of changes of that description it should now be thought by many persons, and as, I venture to say, I shall show your Lordships in a few moments, it has been thought by four successive Governments in India that the time has come for making a large and fundamental alteration in this system of separate administrations for the different portions of the Indian Army. Changes of a similar kind have been made in the military organisations of almost every country in the world, as the result of similar changes and developments to those which have taken place in India. My Lords, this subject was first largely gone into at the time when my noble Friend the Earl of Lytton was Viceroy of India. He, in the year 1879, appointed a very influential Commission to inquire into the organisation of the whole Indian Army. That Commission had upon it such Civilians as the

late Sir Astley Eden and the present Sir Charles Bernard, and it had upon it also generals so well known and so highly distinguished as Sir Frederick Roberts, General Sir Napier Campbell, and General Macpherson, besides various other Commissioners, all of them in their way men of distinction, whose names I need not detail to your Lordships at the present moment. No doubt, my Lords, the principal object which Lord Lytton had in view in establishing that commission was, as I have always understood, that of inquiring whether it was possible to make important reductions in the military expenditure of the Government of India. It was appointed at a time when the financial condition of India was unsatisfactory, and when it was supposed to be a great deal more unsatisfactory, as I have always thought, than it really was. That, I have no doubt, was the principal object of my noble Friend; but he always professed and always entertained as an object of not less importance, though possibly he might have thought of less urgency, the rendering of the organisation of the Indian Army more efficient. My Lords, it must always be borne in mind that the Presidential system of command, as it is called, had been gradually broken into, and impaired and weakened and altered before this Commission was appointed. A great measure of financial centralisation had taken place, the expenditure upon the Army had been brought altogether under the control of the Government of India, and in that way, among many others, the Presidential system has been impaired and broken into. What was left of it was imperfect, and, as I think I shall show your Lordships presently, it was hampering and inconvenient. I have often heard it said that this system of Presidential command is a great out-growth of long experience, and an organisation that has been built up by the accumulated experience of many years. That is quite a mistake. The Presidential system was established, as I have said, under totally different circumstances from those which exist at present, and what has gone on from those days has not been the building up of a system the foundations of which were established a century ago, but it is the breaking down at all points of a system which was established in tolerable perfection at the time it was first set up. Lord Lytton's Commission went very fully indeed into the whole question, and made a very complete, elaborate, and most able Report. I am afraid, my Lords, that that Report and the Papers connected with it have never been laid upon the Table of your Lordships' House, but they have been laid before the other House of Parliament, and, consequently, I am free to quote from them in the course of my remarks. That Commission, after a careful consideration of the whole question, reported to Lord Lytton's Government at the commencement of 1880; and their Report was immediately taken into consideration by that Government, but, as your Lordships are aware, Lord Lytton did not remain long in that year in the position of Viceroy of India—he resigned in the month of April or May, and his Government, therefore, were only able to send home a Despatch forwarding the Report of the Commission with certain Minutes by some Members of the Government. They were not able to go into the subject fully themselves, and to give a deliberate opinion as a Government upon it. Those Minutes show, no doubt, that there was considerable difference of opinion among the Members of Lord Lytton's Government upon the particular point to which I am now drawing your Lordships' attention. But there was no doubt whatever of Lord Lytton's own opinion upon the subject, because in a very able Minute which he wrote, and which has been sent home and laid before the other House, he used this language—

"Under the present system the Armies of Madras and Bombay are neither independent Armies nor portions of one great Army of India. All the evils of provincialism are maintained without that complete independence which were it proved to be desirable could alone justify the maintenance of the control at present exercised by the Local Governments."

As I have said, Lord Lytton was only able to record his opinion upon the more salient points of the Report, and when I went out and succeeded my noble Friend, in 1880, the Report had only been sent home with those recorded opinions, and it was placed in my hands just as I left this country. I need scarcely tell your Lordships that, with an Afghan war upon my hands, I was not anxious to take up

this question, or to go into the consideration of the very large matters which were involved in it, and the Government with which I had the honour to be connected had no opportunity of doing so until in the course of the following winter of 1881 it was expressly directed to do so by the then Secretary of State for India, Lord Hartington. It was at Lord Hartington's special direction that we took up the Report and went into the matter, and we did so very fully. We sent no less than 15 Despatches upon the subject to the India Office, dealing with the Report in all its parts, and with the exception of a difference of opinion upon this very question with which I am now dealing on the part of the gallant officer who was Commander-in-Chief in 1881, Sir Frederick Haines, the Government of India were upon this point at all events, and upon almost every other point, absolutely unanimous in their recommendations. Sir Frederick Haines differed from us, but he was succeeded by a man possessing, I think I may say without question, the largest experience, probably of any living man, of the Indian Army, and upon military affairs in India, I mean Sir Donald Stewart, and my gallant friend Sir Donald Stewart cordially concurred in the recommendation of the Government with which I was connected, as did all my other Colleagues at that time. I should remark here that the military member of the Council, who is, of course, required to be very well acquainted with these matters, and who is a distinct officer from the Commander-in-Chief, was General Wilson, who had been for a long time secretary to the Military Department of the India Office, and who had been specially selected by Lord Hartington to be sent out there, the office of Military Member of the Council having become vacant at the time when this subject was under consideration. Upon this point, my Lords, we also took exactly the same view as had been taken by the Commission and by Lord Lytton himself as Viceroy, and we recommended that the office of Presidential Commander-in-Chief in the two Minor Presidencies and the two Military Departments of Madras and Bombay should be abolished—that the Madras and Bombay Armies should be commanded by two Lieutenant Generals, that the special Military Department should be got rid of, and that the unity of command so established should be placed in the hands of the Commander-in-Chief in India. But I should ask your Lordships to particularly bear in mind this point, both as to the Government of Lord Lytton and as to that with which I was connected, that we never proposed for a moment the abolition of the separate Armies of Madras and Bombay. In reference to this point, I may mention that Lord Lytton used in his Minute what, I think, was a very pertinent expression; he spoke of the Armies of India as being "like water-tight compartments." We never proposed to alter that water-tight compartment system; we objected to the maintenance of separate Commanders-in-Chief and Departments, just as Lord Lytton himself objected to them. Indeed, the Commission went further in that very direction, and proposed to divide the Bengal Army into two portions, so that instead of having three water-tight compartments there would have been four. The Government I was connected with were unable to adopt that recommendation, for reasons which I cannot enter into at the moment; but I am anxious your Lordships should clearly understand that when we proposed, for reasons which I will lay before you briefly in a moment, that the separate Commands-in-Chief and Military Departments of Madras and Bombay should be abolished we were not anxious or desirous that the separate Armies should cease to exist. We thought that that was an important portion of the military organisation, although experience has shown (and that is an important matter) the difficulty in the present day of really and strictly maintaining that separation with our present increased means of communication in India. We found when we came to look into the matter that the Bombay Army was very largely recruited from among the Punjaubees. Sikhs and Pathans make very good soldiers, and the Bombay Government was always seeking to get such men into its ranks, thereby upsetting the water-tight compartment principle; and we had to lay down stricter regulations than had been previously in force in order to prevent this, if I may so term it, "poaching upon the

proper manor" of the Bengal Army, though I am afraid those regulations were not always successful in preventing the continuance of the practice. The proposal which the Government with which I had to do submited to the Secretary of State, was that the Presidential Armies of Bombay and Madras, being maintained as separate bodies, they should be brought more directly under the unity of command of the Commander-in-Chief in India, and that the two officers who had been hitherto called by the names of Commanders-in-Chief in Madras and Bombay should cease to hold that title, that they should be called Lieutenant Generals, and that they should be strictly under the direction of the Commander-in-Chief in India and of the Military Department of the Government of India. Now, my Lords, it has been sometimes said by the critics of this proposal that we were the advocates of an extreme system of centralisation. That, I venture to say, was altogether a mistake. We did not desire more centralisation. On the contrary, we submitted several proposals in exactly the opposite direction, especially tending, among other things, to give greater financial latitude to the commanders of the local Armies. I very well recollect that my noble Friend Lord Kimberley, who was Secretary of State for India at the time, seemed to think that was going too far in the direction of decentralisation by giving greater financial latitude to the Commanders of those Armies. My Lords, I merely mention this matter in order to show that it was from no desire for centralisation that those proposals were made. The principle upon which we desired to base the organisation of the Indian Army was the principle of unity of command, not of close centralisation. On the contrary, we would have given as much latitude as we could to the local commanders, but we desired to secure that which, I venture to say, is essential to any military organisation in the present day and under the conditions of our time—we desired to secure complete and undoubted unity of military administration in the hands of the Commander-in-Chief in India. Our main object, my Lords, I may say in respect to this part of our proposal, was an increase of efficiency, but we believed that some economy, though not a very large economy, would result from this part of the proposal. Some doubts have been thrown upon that matter, and I do not want to enter into any controversy about it. I have said that I believe the economy which would have resulted from our proposal would not have been a large one; but in the present financial condition of India, I think even small economies are not to be despised. But the principal object we had in view was increased efficiency by the securing of that unity of command which appeared to us to be so essential. Now, my Lords, the views which the Government of India of that time entertained were not founded upon theory; they were founded upon practical experience. That which Lord Lytton had found during the part of the Afghan War which took place when he was Viceroy, I found equally during the part of it which occurred while I held that office. It was the practical experience which we both had of the inconveniences and difficulties and confusions which resulted from the then existing system which made us believe that it was of essential importance that a change should be made in it. My Lords, of course a great many matters connected with a question of this kind are not matters which can be introduced in a public discussion; but I think I may, without impropriety, allude to one at all events of the very marked difference in the position in the Government of India towards the Army of Bengal and towards the Armies of the Minor Presidencies. When the expedition was sent to Candahar, after the unfortunate battle of Maiwand, the Government had to select the troops to be sent out. That expedition was ordered by telegraph, and was required to be despatched with the greatest possible rapidity. Accordingly, the troops were put on the march as soon as might be. The names of the officers who were to command the Bengal Brigades were duly submitted to the Government of India by the Commander-in-Chief in India, and I felt it to be my duty as Viceroy to consider and inquire into the position and services of the officers who were so recommended. The Government of India and the Viceroy as representing it were responsible to Parliament and to the public for the appointment of those officers; and,

of course, it was our duty to make all the inquiries we could as to their qualifications. But when I came to do the same thing with regard to the Bombay Brigades and asked for exactly the same information with regard to them which had been given to me with respect to the Bengal officers, I found two things — in the first place, that that information did not exist in the Archives of the Government of India in the same way, and to the same extent as it existed with regard to the Bengal officers; and I found also that the Bombay officers had been appointed, before their names had been approved by the Government of India, by the Bombay Government to the command of their brigades, and were on the march towards the scene of action. Of course, under those circumstances, even if I had hesitated with regard to the qualifications of any one of those officers, I could not, unless the case was of the most flagrant description, have exercised the power of controlling the choice which had been made. I merely mention this, my Lords, to show how these questions do affect matters of the gravest importance in connection with an Army in the field. I could go into the practical difficulties with respect to several other matters of military organisation as shown in time of war, but I will not do so; I will merely venture to ask your Lordships to take my assurance that those difficulties were cropping up almost constantly. Well, my Lords, we sent home those proposals, and they were rejected in July, 1883, partly, perhaps, because we did not make the exact nature of our proposals as clear as we ought to have done, and therefore they were not thoroughly understood; partly because the saving which we thought we should make by them was contested at the India Office — the saving was in itself, I will admit, never supposed to be a large one; and possibly partly from a fear of change and from a want of that experience which we possessed who were actually concerned in the administration of the Indian Army, and who had been so recently engaged in carrying out the operations of war. This part of our proposal, therefore, my Lords, fell to the ground, and there was an end of it for the time. Well, my noble Friend Lord Dufferin succeeded me at the end of 1884. He was in no hurry to deal with this question. Four years elapsed before he wrote his Despatch upon the subject; but in June, 1888, having given to the question, as the time that he took shews, the fullest and the most careful consideration, he again addressed the Government at home on the subject. And, my Lords, you will observe that my noble Friend, like myself, had had actual experience of the operation of this system in time of war, because he had been engaged in the supervision of the military operations which took place in Burma; and if you will turn to his Despatch in the Blue Book on your Lordships' Table you will see that it is a great deal upon the Burmese experience that he rests himself, and it is by facts derived from that experience that he illustrates and defends his recommendations. I hope your Lordships will allow me to give the words of my noble Friend's Despatch, for they are much better than any I could employ myself. They have the full weight of his authority, and they have not merely the authority of Lord Dufferin himself, great as it is, but of the whole of his Government. Lord Dufferin wrote on the 1st June, 1888, to the following effect. He had been alluding to these Burmese difficulties and inconveniences which I have just touched upon, and he goes on :—

"It will be readily understood how much embarrassment and confusion such a complicated procedure is calculated to bring about. With this experience on record we view with apprehension the possibility of our being called upon at any future time to undertake more extensive military operations, while hampered by so faulty a system which violates all the recognised principles of sound military administration; and we feel that we shall be incurring a grave responsibility if we did not once more place on record our sense of the danger to India of allowing the reform, so strongly advocated by our predecessors, to be postponed any longer. We now, therefore, submit to your Lordship our earnest and deliberate opinion that the time has come when what still remains of the Presidential system should be finally abolished; and the entire administration of all the Indian Armies should be made over to the Commander-in-Chief in India acting in direct communication with the Commanders-in-Chief of the local Armies and under the direct orders of the Government of India."

My Lords, these are very serious words. The opinion expressed there is a very grave one. It is exactly coincident with

the opinion which I had myself formed from the experience I had had, and I remember that I used to say when in India that I should be very sorry indeed to be responsible for the conduct of a great war under the system which existed at that time. That view is here fully and entirely confirmed by the opinion expressed by Lord Dufferin and his Government, and it is confirmed by them, as your Lordships will see, after a most prolonged and careful consideration of the whole question. Well, my Lords, when that Despatch of Lord Dufferin arrived in England, what course did the noble Viscount opposite take? He sent a telegram to Lord Dufferin requesting that the Government of India would prepare a General Order upon the subject in full and minute detail. Here are the words—

"A General Order in draft giving effect to the measure; also drafts of all Orders to be thereon issued by the Commander-in-Chief for all arrangements in minute detail."

My Lords, the Government of India undertook the task, and there is given here in this Blue Book a very long General Order, prepared with the greatest care and in the most minute detail. It occupies the chief part of the Blue Book, and it certainly might have been supposed that after that had been done, the principles upon which that general Order was founded, would have received the sanction of the noble Viscount opposite; but as I shall show your Lordships in a moment, that was not the case. But I wish to strengthen my case yet further by another brief quotation from the opinion of my noble Friend Lord Dufferin, because, with this draft Order, there was sent home a Minute by Lord Dufferin, and in that Minute he thus described the leading principle upon which the draft General Order was founded. Therefore, in saying that the principle which I am advocating is the leading principle of that General Order, I am only repeating what Lord Dufferin said.

"The leading principle of those proposals was that the Army administration should be so contrived as to permit decentralisation in such military business as was not of the first importance, while the supreme financial and administrative power should remain in the hands of the Governor General in Council, and further that the Commander-in-Chief in India should be placed in command of the whole Army of India, instead of his powers being confined chiefly to the control of the Bengal Army. In respect of the organisation of the Indian Armies, it is desired to maintain in the most complete manner the separation of the Bengal Army from the Armies of Madras and Bombay;"

and then the Minute refers to the recruitment of Armies in the other parts of Hindostan and in the Punjaub. That is the leading principle upon which that General Order was framed, and it is to that leading principle that I am asking your Lordships' attention to-night. I should perhaps mention here that Lord Dufferin's Government in one minor respect differed from the recommendations of previous Governments. They retained the titles of the Commanders-in-Chief at Madras and Bombay. They did not propose to call them Lieutenants-General; they proposed to leave them the title of Commander-in-Chief, although they subordinated them altogether for the purpose of unity of command to the Commander-in-Chief in India. That is a very minor matter. I daresay Lord Dufferin's Government may have been wise in taking that course, and certainly it is not a point on which I should think of raising any difference of opinion. Well, my Lords, this elaborate scheme, prepared at the call of the noble Viscount opposite, was sent home to England, and was, I have not the least doubt, by the time it took, fully considered by the noble Viscount and his Council; and the result, I regret to say, was that the noble Viscount did not feel himself in a position to accept, at all events at present, this part of the proposal of the Government of India. I will give the words of the noble Viscount in a moment; but he did accept (and in doing so he did much good) a great many of the minor proposals of the Government of India, all tending in the direction of getting rid of this Presidential system. He pulled out more stones; he destroyed the structure still further; he rendered it more liable to fall down than it was before. It was, perhaps, rather an insidious policy on the part of the noble Viscount, and I confess I should have been glad if he had adopted a bolder policy, for I am afraid that the rubbish left behind by the removal of those stones is likely to encumber the administration of the Indian Army for some time to come. What he said was

this, in a Despatch to Lord Lansdowne's Government—

"I regret to have now to inform your Lordship that for the present, at any rate, I find myself unable to enter into the large question of military organisation which has been so ably put forward. I am advised that, in order to give effect to any measure for the withdrawal of the Armies of Madras and Bombay from the control of those Governments, recourse must be had to Imperial legislation. Her Majesty's Government consider that such a course would be highly inexpedient, as it would certainly give rise to discussions, which must cause delay prejudicial to the Public Service, and I cannot deem it advisable to consider the re-construction of the Indian military system on any less comprehensive basis than that advocated by your Government."

My Lords, that might be taken to be a diplomatic mode of saying that the Government did not like to bring a Bill for this purpose into Parliament, and that they thought it would be difficult to pass. I shall have a word to say upon the argument put forward in that form in a moment; but the noble Viscount's language is that the discussions which must arise "would cause delay prejudicial to the Public Service," by which I understand him to mean, that the discussions arising on the passing of such a Bill through Parliament would necessarily take some time, and that during that time every question with regard to this military organisation must stand over. I venture to differ from my noble Friend in that respect. It seems to me that he might not only have done upon his own authority all he has done—that he might have pulled these stones over which he so properly rejoices out of this antiquated structure just the same, but that he might have made a clean sweep of the remaining rubbish by bringing a Bill into Parliament and settling the question once for all upon that basis, which he truly says is the only real basis upon which it can be settled. My Lords, that Despatch was received not by the Government of Lord Dufferin, but by the Government of Lord Lansdowne; and now we arrive at the administration of a fourth Viceroy in connection with this question. And what was the opinion of Lord Lansdowne's Government upon it? Your Lordships will recollect that Lord Lansdowne's Government might, if they had liked, have left that part of the question alone. The decision of the noble Viscount upon it was, so far, final for the time. His other directions related to the remaining matters which I have called the minor points. But so strongly did Lord Lansdowne's Government feel the importance of this question that they would not pass it by—they would not let it alone though they might have done so if they had liked, but they recurred to it again and expressed in the very gravest terms their view of the question. This, again, is the unanimous language of Lord Lansdowne's administration—

"Four successive Governments of India have thus supported the proposals which were put forward by the Army Organisation Committee 10 years ago. The alterations proposed in the administration of the Army are not merely for the purpose of remedying inconveniences, but to impart a practical and working form to an accidental organisation which, in course of time, has developed into a cumbrous and complicated machinery. We desire, therefore, once again to place before Her Majesty's Government our conviction that it would be a misfortune of the greatest moment if this Amendment of the military administration which we consider to be essential to the efficiency of the Army in this country should not be carried out in the breathing time of peace, which we fortunately now possess, and if the desired change so persistently and impartially advocated by the Governments of India were to be postponed until the disastrous experience of war should force upon Her Majesty's Government the necessity of effecting this most necessary reform of the Indian Army System."

My Lords, it is impossible for any Government of India, with the respect which they owe to Her Majesty's Government at home, to use stronger language in regard to any kind of reform than that which I have just read to your Lordships. What, then, is the position in which the matter stands? It is this: you have had four successive Governments of India all combining to recommend this change—perhaps I ought to say, to be strictly correct, four successive Viceroys, because the united opinion of the Indian Government in the case of Lord Lytton's Viceroyalty was not recorded on the subject. You have had all those Viceroys supporting this change and three of them unanimously supported by their Colleagues in the Government. I need not remind your Lordships that those four Viceroys were men of very different characters and training. They were men belonging to different political Parties, and I

should imagine that we all went there with no preconceived opinion upon this subject. I can say that for myself, and I have no doubt it was the case with my noble Friends. We all went thoroughly into the question; three of us had experience of war as well as peace, and the whole four came to the conclusion that it is a matter of the gravest moment that the administration of the Army in India should be put upon such a footing of unity of command as that which was pressed upon the noble Viscount opposite by those four Governors. My Lords, in these proposals you have had men like Sir Donald Stewart and Sir Frederick Roberts, two successive Commanders-in-Chief fully agreeing, and giving them their most entire and cordial support; and I confess I can hardly conceive a stronger case than this for calling upon Her Majesty's Government to take steps to deal with this question upon, as the noble Lord says, the only satisfactory footing upon which it can be dealt with. My Lords, the English Government in India ought always to be in a state of perfect preparation for war. It has always been my view—and I desire to say that this is no mere view of my own, for I have heard the same opinion expressed by others of greater experience and knowledge of India than myself—that the Army in India ought to be ready to take the field at any moment upon a telegraphic command from the Government of India. You cannot secure that perfect efficiency unless you have a sound system of organisation, and you cannot have a sound system of organisation unless you secure that unity of command which is found to exist in every great military organisation throughout the world. I do, therefore, most earnestly submit to Her Majesty's Government that they are incurring a very grave responsibility in resisting the urgent demands and disregarding the repeated warnings they have received for so long a time. If they had brought in a Bill, and it had failed, then that responsibility would not have rested upon them; it would have rested upon others. But when the noble Viscount opposite practically tells the public not in this country only, but in India, that this great reform spoken of in such very strong language by successive Governments of India cannot be carried out simply because a Bill cannot be passed through Parliament, I do venture to say that I think an argument of that description is one which might be fraught with serious consequences. I do not think it is an argument with which this question should be met; and if the hesitation of Her Majesty's Government to deal with this most important matter rests solely upon that ground, as it appears to do, then I do say that Her Majesty's Government are called upon by a very urgent demand to take this question into their serious consideration and to deal with it in the ensuing Session. Some steps, as I have already said, have been taken by the noble Viscount, and, if he will allow me to say so, I desire to give him every credit for those steps; but the principle, which is a wrong principle, remains, and it remains to obstruct and hamper the Public Service, and to weaken our Military Administration in India. I do, therefore, urge the Government to re-consider the matter and to do their part to give effect to the reiterated proposals of four successive Viceroys who have had practical experience of the working of the present system in peace and in war, and who, differing in a great many other things in regard to Indian questions, have been absolutely unanimous in saying that the present system is one which they would regard with the greatest alarm if it were in existence at a time of serious peril.

*THE SECRETARY OF STATE FOR INDIA (Viscount CROSS): My Lords, I am not at all sorry to have heard from the noble Marquess the speech which he has addressed to your Lordships' House. I am quite aware that this is a matter which has engaged the attention of the successive Governments of India for a long time past, and that not only the noble Marquess, but other Viceroys have taken the same view: that Lord Dufferin felt the necessity for a change very strongly, and that Lord Lansdowne is undoubtedly of the same opinion. Now, the noble Marquess said that when the matter was first considered by him, he and his Government very properly took a great amount of trouble to investigate for themselves before they ventured to address the Government at home upon this particular subject, and that in a Despatch

which they sent home they went fully into the matter and put forward every argument they could use in order to further their views. Now, I should like to consider for a moment how that Despatch was received by the Government of the day. The noble Lord (the Earl of Kimberley), who sits next to the noble Marquess, was at the India Office at that time, and it fell to his lot to frame the Despatch which was to answer this pressing demand of the Indian Government. The noble Earl went very fully into the matter, and he alleged certain reasons why he did not feel inclined to accept the decision of the Government of India upon this point. I should like to read to the House one or two sentences from that Despatch to show, at all events, how the matter was viewed at that time by the Government of the day when the noble Earl was Secretary of State for India. The passage is at paragraph 37 of the Despatch where Lord Kimberley was alluding to the weight of authority for and against the change. I do not think the noble Marquess made quite enough of that particular point. He says—

"There is no doubt that the Military Authorities in this country, as well as in India, have been very much divided upon this point; and although it is perfectly true that four successive Viceroys have pressed the Government at home to take the course proposed, it is equally true that there is a very strong weight of authority on the other side among military men."

That, no doubt, was felt by the noble Earl to be the case when he penned this Despatch from which I am reading a few words. He gives certain names of people as being strongly opposed to this particular plan, and then he says—

"I mention these names, not as outweighing those of others who support the scheme, but in order to show that I could not press the measure on Parliament on the ground that there is a general agreement in favour of the scheme on the part of military and administrative officers who have been consulted, but that, on the contrary, I should, have to say there is a considerable body of experienced opinion opposed to it. This opinion, I should say, is shared by the majority of those Indian officers of military experience who have been consulted in this country."

Therefore, the noble Marquess must not take it that all the opinion is in his direction; quite the reverse; because when the noble Earl came to discuss the question with his military advisers here (and Sir Donald Stewart was one of them at the time if I am not mistaken) he found that the great weight of military authority was against the noble Marquess instead of in his favour. The Earl of Kimberley's Despatch goes on at paragraph 53—

"On the whole, I have come to the conclusion, for the reasons I have explained, that it is not expedient to ask Parliament to legislate for the purpose of giving effect to your recommendation."

He was not afraid of a Bill not passing, but that it was inexpedient to present one—

"Your Lordships will, I am sure, understand that it is with much regret that Her Majesty's Government find themselves unable to adopt a measure which all the Members of your Government support; but looking to the direction of military opinion upon the question, to the political objections which may be urged to the proposed changes in the constitution of the Madras and Bombay Armies, and the absence of proof of financial saving, they do not find such a weight of authority in its favour as would justify them in recommending to Parliament such an extensive and fundamental change in the existing military system."

The Despatch which the noble Marquess had sent home, and which had been, as he has told us, so carefully prepared, was clearly also very carefully considered by the Government of which the noble Earl was a member; and after weighing every consideration and argument that could be urged by the noble Marquess in favour of his proposition they were prepared upon their own judgment to decline to adopt the proposal, and they came to the conclusion that it was not expedient to ask Parliament to make this fundamental change which the noble Marquess pressed upon them to make. So the matter ended; the Government of the day went out; and I think the next time the matter was pressed upon the English Government was when Lord Randolph Churchill was in office. He had to consider the question with his military advisers, and he came to the conclusion it was not expedient to bring a Bill into Parliament on the subject, that it would require a Bill, and there was no time at that period of the year for it. It was on that ground, I believe, that he objected to taking any step. He stated in his Despatch of the 29th October, 1885—

"It could not be carried out without an Act of Parliament being passed to give effect to it.

Under existing circumstances such a course would be, for the present at any rate, altogether impracticable, and need not, therefore, be taken into consideration."

Then the next Despatch which came from India on the matter was one addressed to myself. I also went very thoroughly into it, and I certainly consulted all the Military Authorities I could upon the point. No one was more strongly against the proposal than the illustrious Duke, the Commander-in-Chief in England; and certainly no one ever wrote to me more strongly against the proposal than the late Lord Napier of Magdala. He was opposed to it very strongly indeed. That, in my opinion, strengthened very much the view which my noble Friend the Earl of Kimberley had taken, that as all the Military Authorities were certainly not on one side on the subject, we should have to move with considerable caution in regard to it. Having satisfied myself that an Act of Parliament was absolutely necessary, if the measure was to be carried out, and having satisfied myself that if I brought it into this House I should have been opposed by such very good authorities as I have already mentioned, I did not think there was much chance of a Bill of that kind, in the present state of public opinion, and of military opinion, passing through Parliament. Therefore, I had to consider what was the best thing to be done. I did not like to delay the other reforms, which I thought were so very useful and desirable. I did not think even if a Bill could be brought in it would be wise to attempt to carry out this particular measure; at the same time I thought I would cast about to see whether, with the assistance of my noble Friend, I could not carry out a certain amount of reform which would remove a great many of the difficulties the noble Marquess has alluded to, and which the Commander-in-Chief in India said stood in his way in approaching this matter. I will take the opportunity of saying that I am glad the noble Marquess approves of these reforms, such as they are. They all had a tendency and were in the direction of lessening the Presidential system, and they are certainly in the way of giving much greater power to the Commander-in-Chief without centralisation. The Military Accounts had already been dealt with, but we dealt with a great many more matters, and we put the Commissariat, the Transport, the Clothing Department, and the Military Works all entirely under the Commander-in-Chief; so that I think we have gone a long way towards removing a great many of the difficulties which, no doubt, the Commander-in-Chief did feel were pressing upon his position. Now, my Lords, I am not at all saying that this matter of what remains of the Presidential commands is not a question which really does not want great consideration, as my noble Friend says. I quite agree with that, and I think that very likely the Debate which the noble Marquess has initiated to-night may call the attention of military persons still more to this matter than has been the case hitherto, so that we shall be able to get further judgments upon the matter. But, my Lords, I think the divergence of authorities I have cited is quite enough to warrant any Government in saying you must be quite certain you are right before you take this revolutionary step; but when you have made up your mind that it should be taken, take it by all means. I must confess that I think the Government of India, in the last Despatch they wrote upon the matter, placed their case a little too high. I think they put it a little too strongly, because I do not think they would or could, under the system which goes on, now feel the disadvantages to which the noble Marquess had formerly alluded. For the moment, supposing there was a great war, the Commander-in-Chief in India knows perfectly well that the whole of the Army that was engaged would be practically placed under his command. The Army in Burmah is placed under his command. If the point is taken that he would be in difficulties, owing to not having the powers which he wanted for other purposes, the reforms I have already inaugurated would practically do away with the other mischiefs which the noble Marquess alluded to in his Despatch; and, therefore, although I cannot promise that Her Majesty's Government will bring in a Bill to effect this purpose, I can inform him that the whole matter is still under the consideration of the Secretary of State in communication with the Government of India, not simply in reference to this

matter of the Presidential commands, but to other matters connected with the different regiments belonging to those Armies. But one thing I think I may lay down without contradiction—that is, that it would never do to be continually tampering with these Armies. I think when any reform is resolved upon there ought to be something like, if not finality, settlement for a time about it. I do not mean mere financial reforms. But when you have made up your mind to carry out substantial reforms, do let them be fixed, at all events, for some time to come. It is not fair to keep the Army of India unsettled and uncertain as to what its future is to be. When this step is taken it ought to be taken after due consideration, and when we have obtained a greater consensus of military opinion upon the subject than up to the present moment we have had.

THE EARL OF KIMBERLEY: My Lords, I am very glad my noble Friend behind me has brought this very important subject before the House, because I quite agree with him that there is, perhaps, no more important question connected with Indian administration than that which has been raised. The noble Viscount has referred to the decision which was given by the India Office at the time when I had the honour to hold the position of Secretary of State for India, and he has quoted what, I think, are certainly two most material passages in my Despatch then written. My Lords, I quite agree with my noble Friend behind me as to the grave responsibility which attaches to any one who has to deal with this subject, and I do not know that I ever felt a greater responsibility than in coming to the decision at which I arrived. It certainly was not come to by the Government to which I belonged with any precipitation, because my noble Friend Lord Hartington, who preceded me, found the question one of such doubt and difficulty that he did not deal with it while he was Secretary for India, and it fell to my lot to give that decision. Now, I cannot agree with my noble Friend in assuming that there is only one side to this question. It seems to me that it is essentially a matter in which you have to balance very different considerations. My own opinion, of course, upon a military subject is absolutely worthless, but I came to my conclusion after a very careful consideration and study of the military points in consultation with the Military Authorities, to whom I had access, India, in regard to such a matter, is not to be dealt with without reference to her peculiar circumstances. There is not the slightest doubt that in a European country, where the population is homogeneous and not in the peculiar circumstances which are connected with India, it would be the best plan to have a central military administration and one supreme command. I do not suppose anyone out of India, who has not a knowledge of that country, would have thought such a system could have grown up as exists there. But that system, as it has grown up, has adapted itself to the circumstances of the case. I shall presently consider how far some of those circumstances have altered. The question is not merely a military one, it is also a political question; and if you put out of sight the political question, and deal with the subject only from a military point of view, I do not think you can justify the decision you may arrive at, whichever way you may look at it, from the merely military aspect. The political aspect of the question is alluded to in my Despatch in a very short passage, which I may, perhaps, be allowed to read to your Lordships. It is to this effect. In paragraph 49 of my Despatch, I say—

> "In confining my remarks to a few points only of that part of the question, I beg your Lordships to consider that it is from no desire to under-rate your arguments in favour of the scheme, but even if their validity were admitted, they would not, in my opinion, be sufficient to outweigh the considerations with regard to the political situation of Madras and Bombay with their Armies, enabling them, in any unforeseen contingency, to act by themselves, without reference to the Central Government."

I apprehend that paragraph contains really the gist of the arguments on the other side. I had the benefit of excellent military advice when I was at the India Office. The Chief Military Adviser of the Indian Council at the time was that able and distinguished man—Sir Henry Norman, and Sir Henry Norman had an extremely strong opinion against the scheme. I consulted, as the noble Viscount has mentioned, all the Military Authorities who I thought could give an opinion of any weight, and I arrived at

the singular result that there was, it might almost be said, an equal opinion on both sides, though, perhaps, the majority, as I stated in my Despatch, were against the scheme. Then the noble Viscount stated very fairly the difficulty I felt in going to Parliament under those circumstances, because I could, of course, adduce no authority of my own upon a military question, and I should have been obliged to show Parliament that there was sufficient military authority for the change proposed. I was very well aware that there were many eminent and able men in favour of the scheme. At that time you had Sir Donald Stewart, a man of great experience, and now you have Sir Frederick Roberts, whose opinion is second to none. So much from the military point of view. But, my Lords, the political aspect of the question is one which cannot be lightly put aside. It may have been that Sir Henry Norman, and those who advised me, were too much impressed with their recollections of what had occurred during the mutiny, and may have given too much consideration to the circumstances which arose during the occurrences of that perilous time. But although it may be possible that no such great crisis will ever arise again you never can be certain in a great Empire such as India that you may not have internal troubles to deal with which might greatly embarrass you if the local armies could not act separately. There is, moreover, the consideration of the very great difference between the populations from which the Madras Army is entirely recruited and from which the Bombay Army is partially raised, because it is quite true, as my noble Friend has stated, that a considerable number, and more than Government approve of, Pathans and others not natives of the Bombay Presidency, are recruited in the Bombay Army. There is no doubt that the Central Government in India being placed at Calcutta at so great a distance from Bombay and Madras would not be so completely in touch with the Armies there as the Local Governments. That might formerly have been a serious source of danger, but I admit that the greatly improved communication which we now have in India, both by railway and telegraph, has considerably weakened the force of that argument. My Lords, I came to the conclusion, with great reluctance and hesitation, that I could not advise Her Majesty's Government to go to Parliament with a Bill. I say that because I felt strongly the responsibility of the position. Lord Lytton, and most of the Members of his Government, and also my noble Friend and his Government, had made strong recommendations on the subject; but, as I have said, I conscientiously believed I had not such a case as would have justified me at that time in proposing to Parliament the change which the Government of India desired. Now, let us see how the matter stands at the present time. It is, undoubtedly, a strong fact that the same opinions have been expressed by two more Viceroys, so able and experienced as Lord Dufferin and Lord Lansdowne, one, after four years of administration himself, having also been connected with the War Office at home, and another, at present in office in India, also with experience himself of military administration. I say, my Lords, it is a very grave fact that they have recorded in the strongest language their opinion that the Government at home will incur the very gravest resposibility if they neglect to carry into effect this reform. And besides that, there are certain arguments in these Despatches presenting new considerations which were not so pressing, or did not exist at the time when at the India Office I had to deal with the matter. There cannot be the least doubt, as I think Lord Dufferin's Government point out, that there have been two changes which very much affect this question—one, the new condition of affairs upon the frontiers of Beloochistan and Afghanistan, and the other, our acquisition of the whole of Burmah. The first is, perhaps, of the widest and most serious significance. We have now occupied a very advanced position in Beloochistan, we have a railway passing through the Khoja Ranges, in what was formerly part of Afghanistan; and we have created at Quetta a first class military station, which has now become one of the most important military positions of our Indian Empire. It is, of course, essential, from an Imperial point of view, also that this position should be entirely under the control of the Supreme Government as regards the troops

stationed there, and yet it may be that the whole of the native troops stationed there are from the Bombay Army, and if that Army were to remain under the Local Government great inconvenience may arise. We must consider the very great change which has taken place as regards the general military position in India. Formerly we had to provide almost entirely for internal dangers. Now, unfortunately, although affairs happily wear a peaceful aspect at the present time we are obliged to admit that we have upon our frontier a great Power with whom we may one day have to deal. Therefore, the chief military question which the Indian Government have to deal with is the defence of our frontier. For the defence of such a frontier, more especially if we should have to defend it against a European Power, it is of the utmost importance that the administration should be concentrated in the Indian Central Government. My Lords, it seems to me that is an argument which must be set strongly against the argument put forward on the other side, which I admit is one of considerable weight as connected with the internal management of affairs in India. Then, with regard to Burmah. That is now a very large possession. It is garrisoned by the Madras Army. About half the Madras Army is in Burmah, and your Lordships can easily see how inconvenient it would be that that large force should be under the orders of the Local Government at Madras, and not under the control of the Supreme Government.

*VISCOUNT CROSS: It was under the control of the Supreme Government.

*THE EARL OF KIMBERLEY: Well, my Lords, although it may be under the control of the Supreme Government for the time, as it must undoubtedly be, it is shown by the Government of India in the Despatches on the Table that there is considerable administrative inconvenience in the present arrangement. Then, as regards the minor reforms. I did something in that direction, but I am glad to say that the noble Viscount has gone farther. That part of the question probably has been carried as far as it can be carried, and it is the great question of the separate armies that remains to be considered. I appreciate very strongly the way in which both Lord Dufferin's Government and Lord Lonsdale's Government have alluded to the importance of maintaining segregation as they have called in the different Armies. That shows, I think, that as far as it can be done they will be kept separate; but your Lordships must not suppose that the mere wish on the part of the Government to keep up this separation is sufficient. Once you have a central control of the whole of the Armies at Calcutta, I feel perfectly convinced that the centralisation principle will overcome the Local Government principle in regard to administration, and, whatever may be the opinion of the Government, military administration in India will necessarily, year by year, take a more centralised character. Therefore, although I acknowledge the justness of the views of the Indian Government with regard to segregation, I think we must set against it the natural tendency to increased central control. I wish the noble Viscount had given us the Despatch of Lord Randolph Churchill. I do not think it contains much that is of very great importance, but it should have been given to your Lordships as part of the history. To sum up the whole matter, I freely confess that in the face of the opinions of, now, four successive Viceroys, extending over a period of 10 years, opinions expressed in the most uncompromising and strongest manner, I feel that I should, if I had to deal with the question now, have great hesitation in refusing to give effect to their recommendations, and in persevering in the conclusion at which I formerly arrived. It is a very serious responsibility that we should in this matter neglect the opinions of such experienced men, men on the spot who have necessarily a closer and more complete acquaintance with all the surrounding circumstances than we can have. I must also say that from the military point of view, I think the recent experience of Sir Donald Stewart and of Sir Frederick Roberts ought to have great weight with us. I feel bound, therefore, to say, having expressed an adverse opinion before, that if Her Majesty's Government should come to the conclusion that the time has arrived at which they can present a Bill to Parliament for carrying this change

into effect it would meet with no opposition from me.

*THE EARL OF NORTHBROOK: My Lords, upon this subject I wish to offer a few remarks, though it is not one which ever came before me officially, but, of course, I have naturally paid great attention to the Despatches received from India, and especially to the Blue Book which has been laid upon the Table of your Lordships' House. The difficulty of this subject cannot be more clearly set forth than in mentioning the fact that four successive Viceroys, Lord Lytton, the Marquess of Ripon, Lord Dufferin, and Lord Lansdowne, have advocated this change, and that four Secretaries of State for India, Lord Hartington, Lord Kimberley, Lord Randolph Churchill, and the noble Viscount opposite, Lord Cross, have found themselves unable, after full consideration with all the desire which they would naturally have felt to support the recommendations of the Viceroys, to give effect to the wishes of the Indian Government. My Lords, I think I may, as having been myself Viceroy, say one thing without risk of offending my noble Friends who have also filled that office, namely, that when a scheme has been deliberately set forth and advocated by the Government of India, when the men who have framed that scheme had the ear of the Viceroy, it is exceedingly difficult to go back from a scheme which has also received the assent of other Viceroys of India; and I think there must have been some influence insensibly exercised over my noble Friends by the naturally strong feeling of the Military Departments in India in favour of greater centralisation of the Armies in India. My Lords, I am very much in the same condition of mind as my noble Friend (Lord Kimberley) who has just addressed your Lordships. He has just stated, with great clearness and ability, and with perfect frankness, the difficulties of the situation, and I should, undoubtedly, with him be disposed to support the views of the Government of India in this matter, but with one important reservation, namely, that I must confess that the Papers, as presented to your Lordships, containing the scheme are not to my mind sufficiently satisfactory to justify the Government in acting. Now, my Lords, that is the practical question before the Government at the present time. The objections to centralisation have been so fully expressed by my noble Friend who last addressed your Lordships that I will not repeat them at length. One great advantage at present is that too great a centralisation of the military administration in the Commander-in-Chief is prevented. My noble Friend Lord Kimberley has frankly admitted that if this scheme is to be accepted it must be assumed that centralisation will take place. I have to represent to your Lordships that, in my humble opinion, that would constitute a very serious danger. Those who have studied the events of the Indian Mutiny must be aware that one of the main causes of the want of discipline in the Bengal Army was the centralisation which existed in the office of the Adjutant-General of the Army in India, and the taking away from the officers commanding regiments the powers they had over their men. I am not for a moment suggesting that my gallant Friend, Sir Frederick Roberts, is likely to fall into an error of that kind; but I do suggest to your Lordships, and I believe it is only common sense, that very able men put into positions of great executive responsibility are apt to think that they alone can act rightly, and to desire to diminish the responsibility of those serving under them. If this plan is carried out it appears to me that every precaution should be taken against such a result as that. I do not find in this very able collection of General Orders, extending over I do not know how many pages, which has been sent home from India, and which I think the noble Lord was quite right in asking for, anything clear upon this matter. I find, on the contrary, some suggestions for Orders which, to my mind, would rather tend to centralisation, than to deter the Commander-in-Chief's office in India from centralising the business of the local Armies. For example, I find in some of these draft General Orders that the approval of the appointment of officers commanding native regiments in the Armies of Madras and Bengal is to rest with the Commander-in-Chief in India. That does not appear to me to be at all necessary. I find, also, on looking at

the correspondence which has been laid on your Lordships' Table, a very clear indication of the view taken at present in the office of the Commander-in-Chief in India, that a great part of the detail work connected with the local Armies would have to be sent up to Calcutta. I find, at pages 230-236, that Colonel Harris, the officiating Adjutant-General of India, writes to the Chief of the Military Department—

"That the Commander-in-Chief would undertake the larger matters of discipline, equipment, and other matters in Madras and Bombay, which are now dealt with by the Commanders-in-Chief and the Governments of those Presidencies."

No words can be larger than those. If that proposal is accepted, the Commander-in-Chief in India would be able to deal with anything connected with the Armies of Madras and Bombay. The answer given by the Government of India was, I venture to think, a very right one. The reply sent to that letter was that—

"The Government of India consider that it is desirable to leave to the local Commanders-in-Chief the fullest responsibility and authority in regard to the discipline of their Armies."

The opinion of the Government of India appears to me to be absolutely sound in this matter; and they went on to say that if sufficient power was left to the local Commanders-in-Chief, hardly any new matters need be sent for the consideration of the Commander-in-Chief at Calcutta. My Lords, the opinion of the Government of India I hold to be the right one in this matter, but I think this correspondence shows that there is even now some vagueness, some failure to make it quite clear, that for all purposes of discipline and minor administration, the powers exercised by the officers in command of the Madras and Bombay Armies should not be interfered with by the Adjutant-General's Office of the Commander-in-Chief in India. Now, my Lords, the opinions expressed by my noble Friends Lord Ripon and Lord Dufferin appear to me to be as sound and practical as can possibly be. The words used by Lord Dufferin I especially venture to express my entire agreement with, namely—

"That the decentralisation of military business, and the delegation of powers to the Commanders of Military Forces, is the principle to be aimed at."

But I say that further consideration requires to be given to this question, and I am glad to hear that the noble Viscount the Secretary of State for India (Viscount Cross) intends to give that further consideration to it. My Lords, the other point mentioned by my noble Friend Kimberley, as to which I would like to say a word, is the very important consideration as to the possibility of Bombay or Madras being separated from Calcutta. If this scheme is carried out without some provision being made for such a contingency as that, I should like my noble Friend the Secretary of State for India to consider what the legal effect of the alterations proposed by the Government of India in the Army Act would be. What action could the Governments either of Madras or Bombay take in respect to military procedure, supposing that the Army Act was amended in the manner proposed, and all power whatever taken away from the Governments of Madras and Bombay over the Armies of those Presidencies? There is not one of your Lordships who has paid attention to the subject who is not aware of the great advantage to the Public Service which was rendered by Lord Elphinstone, when Governor of Bombay, at the time of the Indian Mutiny; and I venture to suggest that, even if this separation be made, at least some kind of legislative provision should be introduced, enabling, in a time of difficulty or crisis, either the Government of India or the Government at home to give certain authority to the Madras and Bombay Governments, if necessity should arise. Those two instances, my Lords, may, perhaps, to a certain extent enable your Lordships to understand how full of difficulties this question may be. No doubt, looked upon as a question of military administration, the thing is clear enough. Unity of command, unity of administration—are principles which have guided, no doubt, the Commander-in-Chief in India in the suggestions he has made. But I agree with my noble Friend, Lord Kimberley, that this is a matter which requires to be considered upon broad political grounds, and not upon military grounds alone, and I consider that the former Secretaries of State, who have filled that office for the last 10 years, and the noble Viscount opposite who fills it now, have

only done their duty in declining to carry out this measure without a more full and complete consideration of all the different aspects of the subject, and of the precise manner in which the proposal is to be put in force. In conclusion, my Lords, I venture to think it would not be right of my noble Friend the Secretary of State for India to put the responsibility of settling this question upon Parliament. It is a matter which, I think, rests with the Government, and that the Government should be entirely satisfied with the nature of the scheme they have to propose to Parliament and be able to support it by completely and fully answering the military or political objection to it before they present a measure to Parliament.

*THE DUKE OF CAMBRIDGE: My Lords, I may be permitted to say a few words though, personally, I feel that I can say much less than the distinguished Members of this House who have already spoken; but I have had opportunities of hearing and judging of the opinion of some of the leading military men in India, and as already the names of two of them, at all events, have been referred to, and their opinions quoted, I can fully endorse every word that has been said by the noble Lord Earl Kimberley, when he expressed his anxiety, on a military subject, not to go against the opinion or against the advice of such distinguished men as Sir Henry Norman and the late Lord Napier of Magdala. I have had numerous conversations, constant conversations with those two distinguished officers, and others—I could name others, but perhaps those two names will suffice. Those distinguished officers, and many others, have all said to me that it would be a most ticklish and delicate thing to interfere with the present arrangements of the three military commands in India, and though, in many respects, centralisation or united command is advantageous, that the disadvantages of change would be so great that they hoped they would not be incurred. Now, I believe Her Majesty's Government has certainly given many Orders lately, or given sanction to many measures which have very much simplified the military requirements in India, and so long as those military requirements can be fulfilled without any organic changes being made, I should strongly urge your Lordships to be very careful and very delicate in introducing any very great alteration, such as that of doing away with the two minor Presidential Armies and combining them with that of Bengal. I am perfectly aware that there is a strong sentiment on the subject in India, and that some people there are desirous of this change, but I do not think, and I am very glad to hear what the noble Lord who has just spoken has said upon that point, that it would be possible now that our administration in India has become so vast, for one man and his surroundings to carry on the work. The duties of the military administration of so vast an Empire are enormous. I regret I was not able to be present when my noble Friend the Marquess of Ripon who has brought this subject forward spoke, but I was detained in another place. I trust your Lordships will forgive me, feeling my own inexperience in Indian matters, for having quoted the opinions and stated the views of men in whom I am sure every member of your Lordships' House has as much confidence as I have myself. I would strongly urge the Government to be most careful in making any alterations in the direction of doing away with the two minor commands.

CONTAGIOUS DISEASES (ANIMALS) (PLEURO-PNEUMONIA) BILL.

(NO. 105.) COMMITTEE.

Order of the Day for the House to be put into Committee, read.

Moved, "That the House do now resolve itself into Committee."

*THE EARL OF JERSEY: In asking your Lordships the other day to give the Second Reading to this Bill I promised my noble Friend Lord Kimberley to state what had been done in Ireland. In 1888 there were 2,638 head of cattle slaughtered, and compensation paid to the net amount of £15,400; in 1889 there were 1,165 head of cattle slaughtered, the net compensation paid being £7,563; this year, up to the 14th June, 1,010 head of cattle have been slaughtered, and the net compensation paid has been £6,500.

THE EARL OF CAMPERDOWN: Before the House goes into Committee, I wish to refer to a statement which was made by my noble Friend the Marquess of

Huntly on the occasion of the Second Reading of the Bill with reference to the carrying out of the Acts by the Local Authority in Forfarshire. Lord Huntly quoted from a newspaper, in order to show how one Local Authority sometimes carries out the Acts and Orders in a way which renders nugatory whatever may be done by neighbouring and adjoining counties, a case in Forfarshire where pleuro pneumonia had broken out among a herd of cattle. Nine of them were stated to have been slaughtered, but 81 of them which had been in contact with the diseased animals were actually sold and allowed to possibly disseminate disease over the country. I desire to say that I am myself a member of the County Council in Forfarshire, and from long experience besides I can testify to the manner in which the Local Authority there perform their duties. I was, therefore, a little surprised to hear the statement made by the noble Marquess, but I was not at the time in a position to say anything in answer to it. However, I have since heard from the Local Authority on the subject, and they have requested me to make a statement to the House. The outbreak referred to occurred on the 2nd May upon a farm three miles from Forfar. There were not 81 cows in the herd as stated, but there were 98 oxen and three cows; on the 10th May the Local Authority resolved to slaughter the whole of those cattle, and they were all slaughtered accordingly. I may also state that the Forfarshire Authorities invariably slaughter all animals which have been in contact with animals affected with pleuro-pneumonia, and not only so, but it has been their practice in every case to make minute inquiries with a view to tracing the source of the disease. I know, practically, from the amount of our rates, how very careful the attention is which the Forfarshire Local Authority pay to their duties in regard to slaughtering, and on some occasions they have been found fault with in the county because of their rigid adherence to the practice of slaughtering all animals which have been in contact with diseased animals. I merely desire to mention this in justice to the Local Authorities.

*THE MARQUESS OF HUNTLY: I am very pleased that my noble Friend has been able to make this statement. In justice to myself, I may say that I quoted the case as mentioned in a newspaper which circulates in Forfarshire. I am very pleased to hear that our neighbours in Forfarshire are not so much to blame in their administration of the Acts as I thought.

*EARL SPENCER: Before this Bill goes into Committee, I wish to call the attention of Her Majesty's Government to two matters. They are matters with regard to which I do not wish to move any Amendment; but they are important questions, and I shall be glad, therefore, if Her Majesty's Government will give some attention to them. The first question relates to the present powers of the Board of Agriculture. There is a very prevalent opinion in the country that very stringent measures will have to be taken with regard to cows coming from town dairies before pleuro-pneumonia can be stamped out in the country. It was at first thought that some additional clause should be introduced into this Bill in order to give the Government power to deal with those dairies; but if I am not mistaken, the Government have already very sufficient powers with regard to them. The powers to which I allude are the general powers of drawing a cordon round places for the purpose of preventing the spread of pleuro-pneumonia. I am the more confirmed in that opinion when I look to the Report of the Irish Privy Council on the recent administration of the Pleuro-Pneumonia Orders in Ireland. There, I see, that in the order of 1888, which effected such widespread slaughter among animals which had been in contact with pleuro-pneumonia in Dublin, there are very stringent directions with regard to infected centres. Therefore, as the general powers, though different in administration, are the same as in England, the Board of Agriculture will have ample powers for isolating infected districts and drawing a cordon round them in the case of large towns. It will be satisfactory to me, and it will, I think, be satisfactory in the country, where there is considerable interest naturally felt on the subject, to hear from the Government that the view I have taken is correct in regard to that matter. Then there is another matter to which I wish to refer, and I wish to

speak upon it because I feel uncertain as to whether your Lordships' House has any power to deal with it. It may be a matter for argument, but I think there is some doubt as to whether your Lordships' House could have an Amendment moved with regard to it. My noble Friend Lord Belper, who is Chairman of the County Council of Nottingham, made some remarks upon the Second Reading which were of importance with regard to the time when this Act is to come into force. He said something to this effect: that there would be considerable difficulty, he was afraid, as the 1st September drew near, in the effectual working by the Local Authorities of the powers which they now possess. Naturally, as the time for the Government taking over the management of the slaughter draws near, the Local Authorities will be anxious to relieve the local rates of the total cost of the compensation payable, and may be tempted to defer action under the Orders in order that the payment may come upon the Government. I think that is a very serious matter, because we already know that some Local Authorities (and I am glad we have just heard from my noble Friend the Earl of Camperdown that Forfarshire is not numbered among them) are somewhat slack in carrying out the Orders of the Board of Agriculture; and they will certainly be increased in this slackness by the very obvious consideration that they have only to defer action, and the Central Government will have to pay the full cost of compensation instead of themselves. That, my Lords, is a serious matter, and the difficulties, which are already great, of the Board of Agriculture will be considerably increased, because, if the Local Authorities are slack in their administration, there will be a great many more cases to be dealt with hereafter, and I should be glad if Her Majesty's Government would consider whether some such suggestion as this could not be adopted. In the Bill before us the question of compensation is treated somewhat differently with regard to Ireland, to the way in which it is treated in England. In Ireland the £20,000 a year which is to be given for the purposes of this Bill is retrospective. The compensation which has been paid by the Local Authorities under the Orders of the Irish Privy Council of 1888 is to be at once paid by the Central Authority. I believe at present the rule in Ireland is that the Local Authority should pay one-half of the cost of slaughter and that the Central Authority should pay the other half. It is made retrospective, therefore, in that respect in Ireland. I do not wish anything of the sort done in England, but I should like the Government to consider whether, with a view of preventing any inducement to slackness of the Local Authorities, they could not make this Act come into force at an earlier date, say the 1st or the middle of July, with regard to compensation. No doubt, the slaughter would have to be carried out by the Local Authorities, but the compensation might be put under the supervision of the Board of Agriculture out of the £140,000 which is to be paid in the one year. No doubt it would anticipate the period of payment; but I believe, in the long run, it would be really good economy, because it would make the Local Authorities more attentive to their duties in carrying out the Act, would induce them to do so more efficiently, and would prevent the difficulty which my noble Friend Lord Belper pointed out the other night. As I said before, there is some doubt as to whether your Lordships could introduce an Amendment on the subject. It is not in any way increasing the cost or charge upon the public funds; it would be merely appropriating it in rather a different manner. However, I wish Her Majesty's Government would take that point into their consideration, and, perhaps, my noble Friend, either to-night or on the Third Reading of the Bill, will be good enough to state the views of Her Majesty's Government upon those two points, which I think are of considerable importance.

*THE PAYMASTER GENERAL (The Earl of JERSEY): My Lords, I am informed that the Board consider they have ample power to deal with dairies under the clause of the Act of 1878. Of course, the noble Earl will understand that I could not pledge the Government at this present moment to any particular course; but if he would prefer that I should bring before the Minister of Agriculture the points he has alluded to, I will do so, and make a statement later on. But I may say, with

regard to the last point, there would be a difficulty in leaving the Local Authorities to slaughter by themselves, because they might, perhaps, be too much inclined to slaughter if they knew they were not going to pay the expenses. After all, a Local Authority would not be worth the name of a Local Authority if they failed to carry out their duties simply because they thought the expense would fall upon the rates. However, I will make further inquiries upon the point.

*THE EARL OF CAMPERDOWN: I think if the noble Lord will refer to the 16th clause of the Act of 1878 he will see that upon the Report of the Inspector the Authorities have power to declare a dairy or cowshed an infected place—

"Where it appears to the Inspector of the Local Authority that pleuro-pneumonia has existed for six days, or appears to have done so, in any cowshed, field, or other place, he shall forthwith sign a declaration and serve it upon the occupier, and thereupon that place shall become a place infected with pleuro-pneumonia subject to the decrees of the Local Authority."

I think that amply provides for the point raised by my noble Friend.

*EARL SPENCER: That was not the power which I referred to. I believe there was a power in the Act enabling the Privy Council, in order to prevent the spread of pleuro-pneumonia, to stop movements of cattle.

*THE EARL OF JERSEY: That is Clause 32, prohibiting the removal of animals. They have that power.

On Question, agreed to.

House in Committee accordingly.

Clause 4.

*THE MARQUESS OF HUNTLY: My Lords, my object in moving the Amendment of which I have given notice, is to elicit from my noble Friend information on one point. The effect of this Bill is to place the whole duty of inspection on the Inspectors nominated under the authority of the Board of Agriculture. It appears to me that if the whole country is to be under those Inspectors there might from time to time be outbreaks occurring in different parts of the Kingdom, and a whole army of Inspectors might have to be employed. I think it would be necessary to provide in such an event, if several places had to be inspected, and the Inspector could not go to one of them, being engaged elsewhere, that he might be able to authorise some deputy on his behalf to enter upon that place. The value of this clause is that it does away with the obligation upon the Inspector under the Act of 1878, to give his reasons for entering, in writing; but it seems to me it is too small a power that only the Inspector of the Board of Agriculture may enter at any time or place. That is why I suggest the insertion of the words, "or authorise by writing under his hand." One can quite understand three different outbreaks occurring in one county, and I think, therefore, there should be a provision which would enable the Inspector to delegate some qualified person to inspect.

Amendment moved, in Clause 4, Section 1, line 32, after the word "enter" to insert the words "or authorise by writing under his hand any person to enter and inspect."—(*The Lord Meldrum* [M. Huntly.]

THE DUKE OF RICHMOND AND GORDON: I think it would be a most tyrannical proceeding. The Inspector under this Bill has power to visit any cowshed, field, or place he pleases, and he is not obliged to give any reason for it; but he may do so simply because he himself suspects there is pneumonia existing there, and then, upon his report that he finds pleuro-pneumonia existing there, the animals would be slaughtered. But the noble Marquess proposes to give the Inspector power to send anybody he pleases. It need not even be a veterinary surgeon; but it might be some intimate friend whom he would send to inspect the suspected field or cowshed. I think that is a provision which could not be tolerated for a moment. You give the Inspector the power to do it because he is a person who is reliable, and he would not be appointed Inspector unless he was fit for the post; but the noble Marquess's proposal would allow the Inspector to employ anyone, qualified or not.

*THE EARL OF KIMBERLEY: I think the noble Duke has a little overlooked the great difficulties which would arise in such a case as the noble Marquess supposes. It has occurred to me before that if there are several outbreaks happening in parts of the country at

considerable distances from each other, the number of Inspectors who would have to be employed by the Government would be most alarming if this Act is to be carried out efficiently. In fact, I have no doubt that the Board of Agriculture will find, unless they take large advantage of local assistance, that the thing is absolutely beyond their power. My only desire is that the Act shall be fully and efficiently carried into effect, and I cannot help thinking you might put in such words as these: "An Inspector or any person duly authorised by the Board of Agriculture." So that the persons who might go to inspect a place might not be actual Inspectors, but still persons who would be very fit to inspect upon occasion. I think we should give the Board of Agriculture as much latitude as we can, so that Inspectors who were overburdened with work or had too many calls upon them might be able to employ competent persons to do the duty which has to be done. Possibly, the point might be further considered and dealt with before the Report.

*THE EARL OF JERSEY: I do not agree with the noble Lord that it would be impossible for the Inspectors to do the work. Supposing there were a serious outbreak, a larger number of Inspectors would have to be employed *ad hoc*. There is no number of Inspectors put down in the Bill. But this clause is to give an Inspector the right to go into a cowshed, land, or place without giving any reason whatever as to why he enters. I think that is a very extensive power to give, and one which ought not to be delegated to anybody else but to responsible competent Inspectors.

*THE EARL OF KIMBERLEY: I do not suggest that. I said fit and competent persons.

THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK): I think my noble Friend has forgotten that we have passed a previous sub-section under which the Board of Agriculture may employ such additional Inspectors, valuers, and other persons, as they think necessary. So that they already have that power upon emergency.

*EARL SPENCER: I still think my noble Friend is right with regard to this. I do not think it is right to increase the number of Inspectors; you have degrees of authority; and an Inspector is a very important man. Of course you may appoint anybody an Inspector, but I do not think that is a very desirable way of carrying out the Act. I think there may be occasions, as was stated on the Second Reading, when it may be essential to appoint somebody to act as Inspector, but you ought not to lower the authority and value of the Inspectors themselves.

*THE EARL OF KIMBERLEY: In answer to what the noble Viscount has said, the sub-section to which he has referred does not meet the point. On the contrary, it makes it clear that something must be added. This clause limits the performance of the duty of an Inspector. I differ from the noble Marquess with regard to the Inspectors having power to appoint other persons, but I wish the Board of Agriculture to have power to employ them. You may wish to employ a perfectly qualified veterinary surgeon *ad hoc*. For that purpose, the words "An Inspector or other person duly authorised by the Board of Agriculture," would not embarrass them in the least, and would give them the necessary power.

THE DUKE OF RICHMOND AND GORDON: Surely this sub-section gives them the necessary power *ad hoc*.

*THE MARQUESS OF HUNTLY: I will withdraw my Amendment in favour of the suggestion of the noble Earl. But if, as I would suggest, the noble Earl should consider the point between now and the Third Reading, that would be sufficient.

THE EARL OF CAMPERDOWN: I think what has been said with regard to the 5th sub-section of Clause 1 hardly applies to this matter. If the person is appointed by Government as Inspector, his pay might become a serious matter. Of course, we all want to ensure that this Act shall be carried out as well and as cheaply as possible; but I think the Government certainly ought to take into consideration whether it would not be wise in them to appoint persons for a temporary purpose and in a temporary manner.

*THE EARL OF JERSEY: I will have the question referred for consideration, but I think it is really only a dispute about a name.

*THE EARL OF KIMBERLEY: If the noble Earl will consider it, that will be sufficient. We only wish, of course, to make the Bill efficient, and I hope he will not reject it without considering it.

*THE MARQUESS OF HUNTLY: Then I withdraw the Amendment.

Amendment, by leave, withdrawn.

Clause agreed to.

THE MARQUESS OF HUNTLY: After Clause 4 I propose a new clause, for this reason: The difficulty which has been found in working the Act of 1878 in the counties has been in getting convictions in the case of persons liable to penalties for offences. By Clause 61, Sub-section 2, of the Act of 1878, it is enacted that—

"A person is guilty of an offence, if where required by this Act he fails to keep an animal separate, as far as practicable, or to give notice of disease with all practicable speed."

Now, my Lords, that is a very difficult thing to define. What is "with all practicable speed"? That difficulty has been very ably made use of on behalf of those persons who have been found offending, and it has been made the means of getting off even the most arch offenders. My proposition, therefore, is that a new clause should be inserted making it an offence if any person fails to give notice to the Inspector, leaving out the words "with all practicable speed." That would make conviction more easy for the offence of neglecting to give notice of a diseased animal being in the person's possession. I may be told that the power is at present quite sufficient, but I can only say that I am informed it is very difficult to secure a conviction under the clause as it now stands. That is the reason I suggest to the Government the addition of the clause I have put down.

Amendment moved, after Clause 4, to insert as a new clause—

"Any person neglecting to give notice to the Inspector of the Board of Agriculture or the local authority of a diseased animal being in his possession, or selling, moving, or transferring any diseased animal, shall be subject to the penalties for offences under clauses sixty to sixty-six inclusive, of the principal Act, and in addition to the powers conferred by that Act."—(*The Lord Meldrum* [M. Huntly]).

*THE EARL OF JERSEY: I agree with the noble Lord that there has been great difficulty in getting a conviction in some of these cases; but, still, the difficulty would exist, I think, whether those words were in or not, because the question would always arise, what is "neglecting"? It would be urged at once that the man had not neglected, because he was not aware that the animal was infected. Therefore, I do not think the noble Marquess's proposed words would make any difference in enforcing the law as it is at present. Of course, what is required is to make the Magistrates look upon the offence in a more severe light than it is sometimes looked upon at the present time.

Amendment (by leave of the House) withdrawn.

*THE MARQUESS OF HUNTLY: There is another point upon this clause to which I wish particularly to call the attention of the noble Earl, which has arisen in connection with the administration of this Act. Under Clause 31 of the principal Act it has been held that, where the owner of a diseased animal neglects to give notice of that diseased animal being in his possession, that constitutes an offence, and the Local Authority can withhold the compensation payable for that animal. But where that animal has been in contact with a number of other animals on a farm and those animals are ordered to be slaughtered, as regards the compensation to which he is entitled for those animals which have been in contact with the diseased animal, he cannot be held to have committed an offence in that respect, and the compensation cannot be withheld. Now, I have very good evidence from many parts of Scotland as to the necessity for providing that such cases should be included among the offences, and that is the reason why I have put down the clause I now propose. The clerk of our Local Authority writes to me in these words—

"What I think is wanted is a clause declaring that if such an offence is committed the penalties should extend not only to the value of the diseased animal or animals, but should go the full length of enabling the Board of Agriculture to withhold all compensation from the offender for all the cattle belonging to him which may be slaughtered in consequence of the outbreak."

There is an an extract from another

letter which I should like to read to your Lordships from a gentleman who for many years has taken great interest in the subject upon our Committee in Aberdeenshire. He says—

"Please impress upon the Committee and all with whom you act the defect arising from the absence of some heavy penalty being attached to reckless dealing and culpable negligence. It is my firm opinion that until some such enactment as your clause comes into force so long will men deal recklessly, and without regard to consequences, and all efforts to eradicate this scouge will be rendered unavailing."

My Lords, I believe that if the Bill should be passed without this clause, the Board would not be able to withhold compensation for the animals which have been in contact with the disease, and we should be simply in the position in which we are now, having power to withhold compensation for animals which are diseased, but we should not be able to withhold it in respect of animals which have been in contact with them. It is for that reason I suggest the clause which I now move to be inserted.

Amendment moved, after Clause 4, to insert as a new Clause—

"When any person neglects to give notice of a diseased animal being in his possession, or is convicted of any offence under Clauses 61 and 62 of the principal Act, it shall be lawful for the Board of Agriculture to withhold in whole or in part any sum payable to him as compensation under this Act."—(*The Lord Meldrum* [M. Huntly].)

*THE EARL OF JERSEY: The Board of Agriculture are of opinion that they do not require the clause which the noble Marquess has moved. I quite see the point which he has laid before the Committee. They consider that if an owner has an animal which is infected by pleuro-pneumonia, and of which information is kept back by him, it will be a sufficient penalty for the offence if he is fined, as he can be, up to £20 for that animal, and if he does not receive compensation for its slaughter. It should be borne in mind that it never pays anybody to have his cattle slaughtered, or it ought not to pay a person to have his cattle slaughtered, if good valuers are employed. I hope the noble Marquess will not consider it necessary to press his Amendment.

*EARL SPENCER: I must confess I am not convinced by what the noble Earl has said, because I really hardly think he sees the point of the noble Marquess's suggestion. A man has an animal which is diseased, and he has a large herd. He neglects to report it, because he would rather run the risk of losing one animal than have the whole of the animals slaughtered and the place put under restriction. Therefore, he is naturally very much disinclined to report, and he neglects to report. Well, he runs the risk of being detected. If he is detected, no doubt he will not be paid for the one animal, but he will get full compensation for the whole of the remainder. We want to put a greater fine upon him. We know there are throughout the country certain dishonest people who are willing to take the risk of not being discovered, because they know that, at the worst, they will get full compensation for all the other animals which may be slaughtered. We think, therefore, that a greater burden should be put upon dishonest men who hide the disease. I quite agree with the Amendment of the noble Marquess, and I think that in a case of that sort the Board of Agriculture should have power not only to withhold compensation for the diseased animal under the section, but also to withhold compensation from owners for animals which have been in contact with infected animals.

VISCOUNT CRANBROOK: Do I understand the noble Marquess to say there has been a judicial decision upon this point?

*THE MARQUESS OF HUNTLY: I do not think a judicial decision has ever been given. I do not know that the question has come before the superior Courts; but in every case of a Magistrate's decision it has always been so held.

*THE EARL OF KIMBERLEY: Has it ever occurred in a case exactly in point where it was obvious that the owner of the animals was prepared to run the risk? He certainly might not care for losing £15, the compensation for one cow only, and I, therefore, hope this power will be given.

THE EARL OF CAMPERDOWN: I hope the noble Earl will take this matter into his consideration, for I am sure it is one of the most important matters in the whole Bill. The chief danger we are exposed to is that of having a large number of animals throughout the country which have been in contact with

diseased animals. If a man has an animal which is diseased, he runs the risk, of course, if he does not report it, of getting nothing for the diseased animal, and being possibly fined £15, but he will perhaps be doing the very thing the noble Marquess was afraid had been done in Forfarshire, that is, he may send out 60 or 70 cows all over the country which had been in contact with the diseased animal; and remember, my Lords, that we are very much exposed to this in large dairies, especially in towns. A thing of this sort might easily happen there, and surely it is desirable to make the penalty in such cases as large as possible. I hope the Government will therefore take the matter into their serious consideration.

*THE MARQUESS OF HUNTLY: If my noble Friend will promise to consider it by the Third Reading I will withdraw the clause.

Amendment, by leave of the House, withdrawn.

Bill reported, without Amendment; and to be read 3ª on Tuesday next.

FLASHING SIGNALS—ADMIRAL COLOMB'S INVENTION.

QUESTION—OBSERVATIONS.

*LORD SUDELEY: In rising to ask Her Majesty's Government whether they were now in a position to state what reward they proposed to give to Admiral Colomb for his invention of flashing signals, said: My Lords, before I put the question of which I have given notice I wish for a few moments to refer to a rumour which I have heard, namely, that the Treasury propose to offer to Admiral Colomb the paltry sum of £2,000. Now, my Lords, if that be true, such a sum is so far below what the merits of the case deserve, and would be such an insult to the Navy, that I sincerely trust the matter may be re-considered, and that, at any rate, my noble Friend who will answer this question will be able to say that the statement is incorrect. Your Lordships are aware that when this question was brought forward some three weeks ago the matter was gone very thoroughly into, and my noble Friend who represents the Admiralty stated at once that he fully concurred in the statements I had made; he showed how very valuable this invention was; he showed that our fleets could not go to sea, or proceed in fogs, or at night, if they had not the advantage of being able to use these flashing signals; and he showed generally that the Admiralty thoroughly approve of Admiral Colomb receiving a suitable reward. At that time my noble Friend showed also very clearly that while the Admiralty were very strongly of opinion that a great deal ought to be done for Admiral Colomb, they were fettered and controlled entirely by the Treasury. If the head of one public Department thinks a sufficient reward should be offered to a meritorious officer it is un-constitutional und unusual for that Department to throw the blame entirely on the Treasury. The Treasury is really the servant of the Government. If the First Lord of the Admiralty and his colleagues know a grievous wrong is being done to the Navy, there are ways of forcing the Treasury to do what they consider right. Surely, my Lords, the Admiralty, and through them the Government, are alone responsible, and it is a very weak procedure to say they cannot do it because the Treasury are opposed. As I stated on the former occasion, unfortunately there is a strong feeling growing up in the Navy that as regards rewards the same attention is not paid to that branch of the Service as to the Army. Here we have a case in point. I could name other instances, but I will name one which is a very clear case. Only a short time ago Major Watkin made an invention which will be of great use in time of war for the Army, and no less a sum than £25,000 and £1,000 a year for 10 years was awarded to him, making altogether £35,000. But in the Navy what do we see? Admiral Colomb invents a system by means of which our ships can be safely navigated in the dark and in fogs. It has been acknowledged that without that invention our ships could not go to sea; yet year after year this matter has been postponed, and we are now told that the Treasury propose to give the inventor the paltry sum of £2,000! My Lords, the two cases are exactly similar. Here you have in one case Major Watkin receiving for his invention of the range-finder a sum of £35,000—and I do not for a moment say that is too much—and,

on the other hand, if the rumour I have heard is correct, the paltry sum of £2,000 is offered. My Lords, I do not think it is necessary for me to say any more. I will only add this: that if it is true my noble Friend, on behalf of the Admiralty, is going to say that is really the case, every officer in the Navy will feel that an insult has been offered to the Navy, and a very painful feeling will be aroused. I sincerely trust my noble Friend will be able to say something different. I am quite certain that if he does mention £2,000 it will bring great discredit on Her Majesty's Government. I beg to ask the question of which I have given notice.

*LORD ELPHINSTONE: My Lords, I must, in the first place, thank my noble Friend for having from time to time put off this question, which has undoubtedly been a very long time on the notice paper. When last Friday he put the question I asked him to defer it until to-day, because there was a correspondence going on between the two Departments, the Treasury and the Admiralty, at the time; and it was only to-day that we received a definite reply from the Treasury, in effect that they had fully considered Admiral Colomb's claim in all its various points, and they made a definite proposal to the Admiralty for Admiral Colomb's acceptance. There were certain conditions attached to this proposal, and the letter from the Treasury, or a copy of it, would be forwarded to Admiral Colomb. My noble Friend asks what the sum named was. The sum which is proposed in the Treasury Minute is, I understand, £2,000.

THE EARL OF CLANWILLIAM: Well, my Lords, I was never more astonished! Upon my word, I really cannot express my astonishment at such behaviour. Such treatment of a Naval Officer! No words can express my astonishment. My Lords, the reward is totally inadequate.

VISCOUNT SIDMOUTH: My Lords, I am very sorry the noble Lord has no power in this matter, and that my noble Friend has made his statement to so very thinly-attended a House. I can fully confirm, not from personal experience but from evidence which is perfectly trustworthy, and I think impossible to contradict, the value of Admiral Colomb's signals. However, I may refer to my own experience when another system of signals was used, of which I was very cognisant. It was my lot very many years ago to serve as officer of the watch in a very large fleet where the old code of signals was used. A fog came on, and they at once became invisible. I am told on the best authority that, with the present system of Admiral Colomb's signals, every species of danger, all fear of confusion, may be avoided by using them. I well remember at the time I mention sailing with that large fleet off the coast of Portugal. Signals were made; I myself repeatedly saw them, but they were extremely confusing—quite incomprehensible; the vessel anchored, and when the fog cleared away there was not another ship out of 25 in sight. I can only join my noble Friend in expressing entire astonishment at the course which has been taken by the Admiralty in this case. With regard to what my noble Friend opposite has said in reference to rewards in the Army, I may mention that Major Palliser, who invented a gunnery system and introduced the use of chilled shot, received £10,000, was made a baronet, and was promoted in the Service. Another case was that of Mr. Hale. His invention was in regard to the manufacture of rockets. He received £8,000. Captain Moncrieff received £10,000—I forget exactly what the subject of his invention was—I believe it was for gun-carriages, but it was vastly inferior in value to Admiral Colomb's. For that invention Captain Moncrieff received £1,000 a year for some years and £10,000 down. Within the last few days I see that a foreign Government, only a third or fourth-rate Naval Power, has offered four times this amount for an invention which has been made for it, even before it has turned out to be successful. If naval officers are to be treated in the way Admiral Colomb has been, and if the Naval Service, which entails such hard conditions upon sailors, is to be so disregarded and discouraged, I can only say that, in the future, there will be no inducement to naval men to employ their skill and leisure, as Admiral Colomb has done, in bringing out valuable inventions which in this case have been of great advantage, not only to the Navy, but to the Merchant Service, and

every ship that sails. I think my noble Friend will agree with me that the original reason why Admiral Colomb's claims were put aside was that there was a misapprehension as to his position. I believe it was understood that Admiral Colomb had accepted the paltry sum of £500 as putting an end to all his claims. That, I think my noble Friend is now perfectly aware, was a misconception on the part of the Admiralty; the matter has gone on for nearly 30 years; Admiral Colomb has borne it all with great patience, and I think both he and the Navy deserve better treatment.

*LORD ELPHINSTONE: I only desire to correct one statement of my noble Friend: he has referred to the Admiralty as having awarded £2,000 to Admiral Colomb. The Admiralty had nothing to do with it; it is entirely in the hands of the Treasury.

VISCOUNT SIDMOUTH: That was a mistake of mine. I do not think the Admiralty can have considered the matter, and I do not think the matter was thoroughly laid before them.

*LORD SUDELEY: A great deal of correspondence has, I understand, taken place between the Admiralty and officers in the Navy with regard to Admiral Colomb's invention, and I beg to give notice that I shall move for a copy of that correspondence on Tuesday next.

ELECTRIC LIGHTING ACTS AMENDMENT (SCOTLAND) BILL.—(No. 122.)

Amendment reported (according to order); and Bill to be read 3ª on Tuesday next.

COURT OF CHANCERY OF LANCASTER. BILL.(—No. 93.)

Read 3ª (according to order), and passed, and sent to the Commons.

FACTORS (SCOTLAND) (No. 2.) BILL. (No. 108.)

Read 3ª (according to order), and passed, and sent to the Commons.

House adjourned at five minutes past Seven o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 27th June, 1890.

ALDERSHOT ROADS (COMPENSATION).

Committee to consider of authorising the payment, out of moneys to be provided by Parliament, of any Compensation in respect of rights of way, that may be awarded under any Act of the present Session relating to lands near Aldershot that may be used for Rifle Ranges and other Military purposes (Queen's Recommendation signified), upon Monday next.

STANDING ORDERS.

Resolution reported from the Committee.

"That, in the case of the Lichfield Cathedral Bill [Lords], the Standing Orders ought to be dispensed with:—That the Bill be permitted to proceed."

Resolution agreed to.

SELECTION (STANDING COMMITTEES.)

Sir JOHN MOWBRAY reported from the Committee of Selection; That they had added to the Standing Committee on Law, and Courts of Justice, and Legal Procedure, in respect of the Housing of the Working Classes Acts Consolidation Bill, and Housing of the Working Classes (Amendment) Bill, the following 15 Members, namely, Mr. Baird, Sir Edward Birkbeck, Mr. Chance, Mr. Channing, Earl Compton, Mr. Esslemont, Mr. Fenwick, Sir Edward Harland, Mr. Howell, Sir William Houldsworth, Mr. Lawson, Sir Roper Lethbridge, Mr. Ritchie, Mr. Royden, and Mr. Powell-Williams.

Report to lie upon the Table.

QUESTIONS.

CHARGE AGAINST AN INDIAN POLICE OFFICIAL.

SIR THOMAS ESMONDE (Dublin Co., S.): I beg to ask the Secretary of State for India if his attention has been called to the statement that an Indian Police Official, in the execution of a warrant for the arrest of a Moughyr banker named Indranarain Saho, used improper methods of search towards members of the banker's family; and

whether he will institute an inquiry into the matter?

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): No, Sir; the Secretary of State has received no information of any such incident.

SIR T. ESMONDE: May I ask the right hon. Gentleman if he will have an inquiry made?

*SIR J. GORST: The question of the hon. Member is somewhat indefinite. There are many thousands of police in India, and the question does not even give a reference to the district in which the incident occurred. I am afraid, therefore, that it would be exceedingly difficult to cause an inquiry to be made with any satisfactory result.

SIR T. ESMONDE: I will repeat the question. I am afraid that it may have been put down wrong.

PETITIONS OF EAST INDIAN SUBJECTS.

MR. BROOKFIELD (Sussex, Rye): I beg to ask the hon. Baronet the Member for Walsall (Mr. C. Forster), as Chairman of the Committee on Public Petitions, whether, in the case of Indian Petitions signed in the Devanágari or Urdu characters, any means exist whereby the Committee can form an opinion as to the genuineness of such signatures; or whether it is the case that, by some custom or Standing Order made in previous years, the Petitions of East Indian subjects are exempt from the scrutiny to which ordinary Petitions are exposed?

SIR C. FORSTER (Walsall): In answer to the question of the hon. Member, I have to state that there are no means of testing the genuineness of signatures signed in native characters to Indian Petitions. I may remind the House, as bearing upon the question, that in the Session of 1881 the Committee on Public Petitions were ordered to print Petitions, even if informal, which, in the opinion of the Committee, bore upon Indian subjects.

LORD REAY AND THE GOVERNMENT OF BOMBAY.

MR. BRYCE (Aberdeen, S.): I beg to ask the Under Secretary of State for India whether, with reference to the statements made in India and here respecting Lord Reay's offer to resign the office of Governor of Bombay, it is the fact that, although Lord Reay did not tender his resignation to the Secretary of State for India, he did make a communication to the Viceroy on the subject?

*SIR J. GORST: The statement which I was instructed by the Secretary of State to make in this House on the 8th of May, that Lord Reay never tendered his resignation of the government of Bombay, was correct; but the Secretary of State has been unofficially informed that Lord Reay, by a secret and confidential telegram, the text of which was not communicated to the Secretary of State, intimated to the Viceroy that he would resign in the event of the mamlutdars being dismissed; and my noble Friend has been further unofficially informed that the Viceroy succeeded in dissuading Lord Reay from tendering his resignation.

MR. BRADLAUGH (Northampton): After that grave statement will the right hon. Gentleman still refuse to afford facilities for the discussion of the question?

MR. J. GORST: I must ask for notice of that question.

MR. BRADLAUGH: May I ask the leader of the House whether, after the very grave statement that Lord Reay felt it his duty to make a communication to the Viceroy almost equivalent to a tender of his resignation, the Government will not afford the means of having the question raised in this House?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I will consider the matter; but I am sorry to say that the opportunities I have of affording facilities for discussion are very slight indeed.

THE WHITGIFT TOMB AT CROYDON.

SIR JAMES CORRY (Armagh, Mid): I beg to ask the hon. Member for Penrith (Mr. J. W. Lowther) if the Charity Commissioners are aware that the restoration of the Whitgift Tomb and the payment of £200 out of the income of the Charity had been done with the express approval of the Patron and Visitor (the Archbishop of Canterbury); that the legal adviser (now deceased) raised no question as to the right of the Governors to use the income; that the Commissioners had themselves allowed the sum of £250 to be used out of

the income towards the cost of re-building Croydon Parish Church; and whether, in the face of these facts, the Commissioners would restore the money they had taken from the private purses of the present Governors, some of whom, were on the Court when the money was voted?

MR. J. W. LOWTHER (Cumberland, Penrith): So far as the Charity Commissioners are informed, the Archbishop of Canterbury has not purported to give an express approval, as a Visitor, to the expenditure in question. It was at the instance of the Archbishop that the Governors applied for the *ex post facto* approval of the Charity Commissioners. The Commissioners learn that on the occasion of the original sanction of this expenditure by the Governors, their then legal adviser, who was present, was not asked for and did not offer his opinion; and that when the question was before the Governors on a subsequent occasion, their present legal adviser expressed an opinion adverse to the expenditure, and ultimately declined to sign a letter to the Commissioners in the matter. The grant of £250 towards the re-building of the church was made by the Governors, with the previous sanction of the Commissioners, given in view of the fact that the interests of certain beneficiaries of the foundation were directly involved in the restoration of the accommodation hitherto provided for them in the church. Under these circumstances, and in view of the fact that the Governors have not challenged in a Court of Law the decision of the Commissioners, they are unable to promise any re-consideration of their decision.

THE ZANZIBAR PROTECTORATE.

MR. HANBURY (Preston): I beg to ask the Under Secretary of State for Foreign Affairs whether slavery is still a recognised institution on the clove and other plantations in the Island of Pemba; whether he can state what is the average life of a slave employed on these plantations; whether the large numbers annually required to make up the deficiency caused by deaths are necessarily recruited by new importations of slaves by the slave traders of the mainland; and whether, in view of the intended Protectorate, Her Majesty's Government hope to induce the Sultan of Zanzibar to abolish the *status* of slavery in Pemba, under the exceptional circumstances in which it is maintained in that portion of his dominions?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): Her Majesty's Government are aware of the existence of, and of the evils attending, slave labour in the Island of Pemba, and, in any changes which may be impending in that island, the policy which successive British Governments have followed with regard to the Slave Trade, will not be departed from.

MR. BLANE (Armagh, S.): I beg to ask the Under Secretary of State for Foreign Affairs if it be true that England and France have bound themselves by Treaty to respect the Sovereign rights of the Sultan of Zanzibar; and if the Government have taken Zanzibar under their protection in the same way as Egypt?

*SIR J. FERGUSSON: A Declaration was exchanged between this country and France on the 10th March, 1862, by which they reciprocally engaged to respect the independence of the Sultan of Zanzibar. There is no British Protectorate over Egypt.

MR. BLANE: Is there a Protectorate over Zanzibar?

*SIR. J. FERGUSSON: The House is aware that Her Majesty's Government propose to assume a Protectorate.

EGYPTIAN DEBT.

MR. BRYCE (Aberdeen, S.): I beg to ask the Under Secretary of State for Foreign Affairs when it is intended to present to Parliament Papers relating to the conversion of the Egyptian Debt; and whether those Papers will include the Despatch lately mentioned by M. Ribot in the French Chamber, in which Lord Salisbury, according to M. Ribot's statement, explained or disavowed expressions contained in a recently-published Despatch from Her Majesty's Representative in Egypt?

*SIR J. FERGUSSON: There are no Papers of importance which could be laid at present. The observation mentioned by M. Ribot that it was the duty of an officer reporting to Her Majesty's Government, to express his own views, and his own views only, was made in conversation and has not formed the subject of a Despatch.

PUBLIC OFFICE PENCILS.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the Secretary to the Treasury whether the marks on the pencils supplied to the Public Offices, namely, "V. (Royal Crown) R. Broad Arrow. Civil Service. A Foreign Name. Broad Arrow. Bavaria," imply that such pencils, although bearing the British Crown, the Royal Cypher, and the British Government Brand, are made by foreign workmen, although paid for by British taxes; and, in such case, when the order was given; under the authority of what Department of State; what was its total amount; why it does not appear in the Parliamentary Return "Contracts with Foreigners" of this year or last; whether tenders were invited from British manufacturers giving employment to British workmen, and using lead raised in Cumberland or other parts of the United Kingdom; and what was the theoretical saving to the National Exchequer in this State encouragement of a foreign instead of a British industry?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): The Crown, Royal Cypher, and Broad Arrow marked on lead pencils used in Government Departments, are placed upon them as a means of identification under the Public Stores Act, 1875; the addition of the name of a foreign country is made under the Merchandise Marks Act, 1887, when the pencils have been manufactured abroad. Pencils are not purchased by the Stationery Office under running contracts, but in lots as required from time to time. In the last 10 years no order has been given for pencils to any "contractor outside the Kingdom." The orders given are not for pencils manufactured in any particular country, or from materials produced in any particular place, but for pencils of the kind required by the several Departments. I am unable to say what the theoretical saving is from purchasing foreign-made pencils, as there are no means of saying what would be the effect of limiting the orders to home-made pencils.

In reply to a further question by Mr. HOWARD VINCENT,

MR. JACKSON said: I believe that what happens is this. Different kinds of pencils are tried, and then the form is decided upon. In this case, the order was given to a London firm.

MR. HOWARD VINCENT: I beg to give notice that I will call attention to this matter in Committee of Supply.

CRIMEAN VETERANS.

MR. EDMUND ROBERTSON (Dundee): I had intended to ask the Secretary of State for War whether his attention has been called to the necessitous circumstances of many of the veterans who served in the Crimean War and Indian Mutiny; and whether he can now promise any measures for their relief? but at the request of the right hon. Gentleman I will postpone the question until Monday.

MILITIA VALISES.

MR. HANBURY: I beg to ask the Secretary of State for War whether there have been repeated complaints of the unserviceable quality of the valises, made of so-called "French cloth," issued to certain Militia battalions with the brown leather valise equipment; what steps are to be taken to replace them with proper equipment; and whether it is the fact that commanding officers who have for three years running been ordered by Sir Evelyn Wood to report to the War Office on these valises supplied by Messrs. Ross do not even get a reply to their complaints?

THE FINANCIAL SECRETARY FOR WAR (Mr. BRODRICK, Surrey, Guildford): Questions upon this subject have already been asked and replied to in the House. There have been several complaints as to the valises referred to; but, from motives of economy, they must be used up.

MR. HOWELL (Bethnal Green, N.E.): At whose expense is this to be done, at that of the manufacturer or of the Government?

MR. BRODRICK: At the expense of the Government.

INFANTRY RANGE FINDERS.

MR. HANBURY: I beg to ask the Secretary of State for War whether, in June, 1888, the War Office advertised for designs for Infantry range finders, and about 17 out of some 200 sent in were selected for trial; whether, subsequently, a further competition took place between Major Watkin's instrument and that of

Mr. Lynam, of Dundalk; whether it is the fact that the War Office has refused to allow Mr. Lynam to see the results of this competition; whether Major Watkin, who has already received a very large sum for another range finder, is in Government employment; and whether Mr. Lynam's instrument did, or did not, prove superior in accuracy and speed to that of Major Watkin?

MR. BRODRICK: Designs for Infantry range finders were advertised for in May, 1888. About 40 specimens or descriptions of instruments were received, of which four (including Mr. Lynam's and two of Major Watkin's) were selected for further trial. It is contrary to the practice of the War Department to allow inventors to see the Reports which are made upon their inventions. Major Watkin is in Government employment. After very careful consideration the Committee, while admitting the accuracy of Mr. Lynam's instrument, were of opinion that Major Watkin's was better adapted for the rough work of a campaign.

MR. HANBURY: Is it the practice to invite persons to compete, and then to give them no opportunity of judging whether the War Office has treated them fairly or not?

MR. BRODRICK: In a competition of this character the Reports are not given to the various competitors because they might be damaging to individuals.

MR. HANBURY: Are they informed whether they won the competition or not?

MR. BRODRICK: Of course, they are informed whether they have succeeded or not.

HELIGOLAND.

SIR ROBERT FOWLER (London): I beg to ask the Under Secretary of State for Foreign Affairs whether provision will be made in the terms of the cession of Heligoland to enable British fishermen to exercise the rights they have so long enjoyed of fishing within three miles of the island?

*SIR J. FERGUSSON: No; the right of fishing in the territorial waters of the island, which appears to be of little value, will not be retained; but provisions will be made for the other rights enjoyed by British fishermen.

THE MUTINY ON BOARD H.M.S. *EGERIA.*

SIR THOMAS ESMONDE (Dublin Co., S.): I beg to ask the First Lord of the Admiralty what were the causes which led to the mutiny on board H.M.S. *Egeria*?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): An inquiry into the circumstances referred to has been ordered by the Commander in Chief of the Station, but the result has not yet been reported to the Admiralty.

POLICE SUPERANNUATION.

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask the Secretary of State for the Home Department whether he has any objection to lay upon the Table of the House the proceedings of, and evidence taken by, the Committee which sat from last October onwards, to consider the Police Superannuation question?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The proceedings of the Departmental Committee were suspended, and the evidence taken by them was not completed; but, such as it is, I have no objection to lay it before the House if there is any general desire to see it, or before any Committee that may have to consider the Bill.

DR. CLARK (Caithness): Was there any evidence taken with regard to Scotland?

MR. MATTHEWS: No, Sir.

MR. HOWARD VINCENT: I beg to ask the Secretary of State for the Home Department whether, having regard to the fact that, under present arrangements, in many Constabulary forces police are pensioned on two-thirds of their pay after 25 years' faithful service, and also to the small difference between the three-fifths proposed in the Bill and two-thirds, less than £7 upon a salary of £100, or about 3½d. per diem on the pension of a first-class constable, and bearing in mind the years of successive Governments through which these 30,000 deserving public servants have waited for the superannuation scheme and also the very small percentage of constables who last 25 years, Her Majesty's Government can on re-con-

sideration consent to the two-thirds pensions after a quarter of a century, without age disqualification?

An hon. MEMBER: Before the right hon. Gentleman answers this question I wish to ask if he can state whether it is the intention of the Government to extend this principle of superannuation to other classes of workmen besides the police; and, if not, on what grounds do they propose to tax workmen, who are in the receipt of less wages, for the superannuation of the police?

*MR. MATTHEWS: I must ask my hon. Friend to allow me to postpone my answer to his question till a later period of the evening, when I move the Second Reading of the Police Superannuation Bill, and when I shall have a better opportunity of fully stating the views of the Government on the point he raises. In reply to the further question, I have to say that the police are the only class to whom the Superannuation Bill will apply.

MR. MONTAGU WILLIAMS.

MR. MACNEILL (Donegal, S.): I beg to ask the Secretary of State for the Home Department whether his attention has been directed to the following observation, reported in the *Dublin Daily Express* of the 25th instant, to have been made by Mr. Montagu Williams at the Thames Police Court the previous day, and characterised in that journal as a piece of silly impertinence—

"I expect there are a good many strangers from Ireland in this country; for my part, I wish they could all be sent back;"

and will he call the attention of the Lord Chancellor to the language alleged to have been used by Mr. Williams?

*MR. MATTHEWS: I am informed by the learned Magistrate that he made use of no such language as is imputed to him by the *Dublin Daily Express*. A man applied to the Magistrate for money to pay his journey to his own country, stating that he was an Irishman, The Magistrate replied to the effect that he had no funds for such a purpose; that a large fund would be necessary if all foreigners in London were to be sent home; but that an Irishman was not a foreigner, and was in his own country here.

THE POOLE POLICE.

MR. BOND (Dorset, E.): I beg to ask the Secretary of State for the Home Department whether he is aware that the authorities of the Borough of Poole have expressed a desire to amalgamate the borough police with that of the County of Dorset for a period of five years, to test whether such arrangement can be carried out to the satisfaction of both parties; and whether he is able to give his consent to this scheme, which will effect a large saving to the local taxpayers of the borough?

*MR. MATTHEWS: Yes, Sir; I am aware of the proposal to amalgamate these two forces. The matter involves some question of law, and also depends upon the view which may be taken of it hereafter by the Secretary of State, whoever he may be; but I am advised that his sanction will be necessary under the Act of Parliament.

ANGLO-GERMAN AGREEMENT.

MR. ALFRED PEASE (York): I beg to ask the Under Secretary of State for Foreign Affairs if he can explain why Her Majesty's Government, having lately refused to admit the validity of ancient Portuguese claims to African territory lying between the territory occupied by that Power on both the Eastern and Western Coasts of Africa, have since then acquiesced in the German contention with regard to certain African territory in favour of the "Hinterland" principle, and have announced that they cannot oppose

"The claim which the German Government based on the fact that the region was in the immediate rear of their own;"

and what was the reasons for this difference of policy in the two cases; and whether Her Majesty's Government has secured for England, on the "Hinterland" principle, the region to the rear of Walfisch Bay as a sphere of British influence?

*SIR J. FERGUSSON: It will be seen on reference to the Despatch addressed to Sir E. Malet, on the 14th inst., that Her Majesty's Government have not accepted the Hinterland doctrine as advocated by Germany. Claims of Portugal rest on historical grounds which are not admitted by Her Majesty's Government. Negotiations are still proceeding in

regard to Walfisch Bay and Damaraland.

DR. CLARK (Caithness): I beg to ask the Under Secretary of State for Foreign Affairs whether it is the case, as shown by the map in the Tea-Room, that under the Agreement with Germany the sphere of German influence has been extended 250 miles southward, to about the 22nd degree of South latitude, and about 350 miles eastward to the Zambesi; whether this will carry German authority eastward more than half the way across the African Continent, and place a new German territory of over 300 miles between North Bechuanaland and West Makolololand; whether this will cause one section of the Makololos to be under German influence and another portion under British influence; and whether he will show on the map the old German boundary on the West Coast as well as on the East?

*SIR. J. FERGUSSON: I do not understand what the hon. Member means by the first paragraph of his question. The German Agreement with Portugal of 1886 defined the limits of their respective influence on the West Coast of Africa; but the boundaries of the German and British spheres in that quarter have not till now been clearly described. Only a strip of territory 20 miles wide will give the Germans independent access to the waterway of the Zambesi. It is possible that there will be Makololos within both the German and British spheres. The tracing paper attached to the map in the Tea-Room shows the eastern boundary of German Damaraland on the 20th parallel of east longitude, up to the 18th parallel of south latitude; that is unaltered; but above that, and to the north-west, it had not been defined previously. We have secured the recognition of British influence by our neighbours in vast regions; we ought not to be jealous of what remains.

DR. CAMERON (Glasgow, College): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been called to a statement of the Vienna correspondent of the *Times*, to the effect that—

"The Russian papers attach most importance to the theory that they have themselves devised as to there being a secret clause in the Agreement relative to East Africa which would make England and Germany allies in case of war;"

and whether he is in a position to dispel this source of irritation by denying the existence of any such secret provision or understanding in connection with the Agreement?

*SIR J. FERGUSSON: Her Majesty's Government have undertaken no new obligation in regard to European Powers either in the present Agreement or otherwise.

HAMPTON COURT PARK.

MR. PICKERSGILL (Bethnal Green, N.W.): I beg to ask the First Commissioner of Works whether he has received a copy of a resolution passed unanimously at a large meeting held at the Mansion House, on the 13th instant, under the presidency of the Lord Mayor, to the effect that it would be a great boon to the people of London, as well as the people of Kingston, if Hampton Court Park were open to the public; whether this sufficiently meets his objection, that "the opening of the park could only be in obedience to the demand of the public generally"; and whether he will now favourably re-consider the question of opening the park to the public?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, University of Dublin): A copy of the resolution referred to in the question has been received by me, and it is my intention to submit it for the consideration of Her Majesty's Government. At the same time I must observe that a desire on the part of the inhabitants of the neighbourhood of Hampton Court, or of any portion of the public, is by no means the only element in the question, as I fully explained in the Debate on the Estimates, when I was supported by a large majority of the Committee.

THE METROPOLITAN POLICE.

MR. JAMES ROWLANDS (Finsbury, E.): I beg to ask the Secretary of State for the Home Department whether a meeting of representatives of the Metropolitan Police was allowed to be held at the Paddington Police Station, last week; whether another meeting which was to be held at Bow Street Police Station on the 23rd was prohibited; whether it has been customary

to allow the members of the Force to meet and discuss their grievances; and whether it is intended to allow the men to meet and discuss the question of their superannuation and their wages?

MR. C. GRAHAM (Lanark, N.W.): Was not the late Chief Commissioner, Mr. Monro, favourable to the men holding meetings, and have not the new orders come from the new Chief Commissioner?

MR. MATTHEWS: A meeting of men from different divisions was held at Paddington, but it was held without authority from the Commissioner, who was, however, of opinion that there had been a misapprehension of the orders on the subject. A Petition was received by the Commissioner, on Monday, asking permission to hold a meeting that afternoon at Bow Street. It was received too late for a reply to be sent. No permission was given, and the meeting was not allowed. The Consolidated Orders do not allow meetings of the Force without the permission of the Commissioner, and it has not been customary to allow them. Recently permission was conveyed through the superintendents of divisions for the men to meet in their own divisions, to discuss the Superannuation Bill, and that permission has not been withdrawn.

FRIENDLY SOCIETIES.

MR. HOWELL: I beg to ask the Secretary to the Treasury whether he can state to the House the total number of Friendly Societies in the United Kingdom, the number registered, and the estimated number unregistered, the total number of members, the aggregate amount of the funds, and the estimated amount expended in benefits, in the year 1888, and the total income and total expenditure for that year?

MR. JACKSON: I shall be glad if the hon. Member will be good enough to put this question on Monday. I have not been able to obtain the information.

GENERAL ANDERSON.

MR. JAMES ROWLANDS: I beg to ask the Secretary of State for War whether General Anderson has resigned, or been removed from, his position at Woolwich Arsenal; and, if so, can he state to the House the reason for General Anderson's sudden resignation or removal?

MR. BRODRICK: If the hon. Member refers to Dr. Anderson, the Director General of the Ordnance Factories, I am glad to say that there is no foundation whatever for the question.

SWAZILAND.

MR. BAUMANN (Camberwell, Peckham): I beg to ask the Under Secretary of State for the Colonies why Sir Francis de Winton's Report on Swaziland has not been laid upon the Table?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. DE WORMS, Liverpool, Toxteth): Because, Sir, negotiations largely based upon that Report are still in progress.

THE POST OFFICE JUBILEE.

MR. WATT (Glasgow, Camlachie): I beg to ask the Postmaster General whether it is his intention to publish a Jubilee Report this year, giving full particulars of the progress of the Department during the last 50 years, with all details as to changes in inland, foreign, and colonial rates, &c.?

*MR. RAIKES: In reply to the hon. Member, I have to state that I had not contemplated the compilation of so stupendous a work as that to which the hon. Member refers, and, indeed, there would not be time within the limits of an ordinary Session to collect, collate, verify, and edit the postal history of the past 50 years.

ASSAULT AT DEWSBURY.

MR. BRADLAUGH: I beg to ask the Attorney General if he can now say whether, in the case of the conviction for common assault at Dewsbury, on 9th June, the prosecution was against a man arrested by the police on the charge of indecently assaulting two mill girls; whether the girls were directed by the police to pay, and did pay, in addition to the Magistrates Clerk's fees of 17s., a further sum of 5s. for the attendance of a witness; whether, in proceedings for such offences, the law provides for compensation to prosecutors; and whether there is any enactment making prosecutors in such a case liable for Justice Clerk's fees and compensation to witnesses?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I must ask that the question be deferred until Monday.

*MR. BRADLAUGH: I will repeat it on Monday.

PRIVATE SECRETARIES TO MINISTERS.

MR. WATT: I beg to ask the Secretary to the Treasury whether the Government have any objections to the publication of a Return of the private secretaries to Ministers since 1869 who have received permanent appointments in the Public Services?

MR. JACKSON: The Government have no objection to give the information, but, as the wording of the Return would have to be first considered, I desire that the hon. Member should speak with me if he wishes to proceed further.

THE LICENSING CLAUSES AND A NATIONAL GALLERY OF BRITISH ART.

MR. QUILTER (Suffolk, Sudbury): I beg to ask the First Lord of the Treasury if, in the event of the Licensing Clauses being withdrawn, Her Majesty's Government will consider the desirability of applying the sum (or a portion of it) thus rendered available towards the provision of a suitable site and building for a National Gallery of British Art in a central position in the Metropolis?

*MR. W. H. SMITH: The Chancellor of the Exchequer, in answer to a question yesterday, indicated the course the Government desired to pursue with respect to Mr. Tate's most generous offer.

MR. QUILTER: Cannot the Government establish a gallery in a position more accessible to the north and east of London than South Kensington?

*MR. W. H. SMITH: I am under the impression that South Kensington is accessible to the north and east of London. Sites for such a gallery more accessible to the north and east of London would be very difficult to obtain.

MEETINGS OF POST OFFICE OFFICE OFFICIALS.

MR. ARTHUR WILLIAMS (Glamorgan, S.): I beg to ask the Postmaster General what have been the total expenses of employing the official reporters who have been engaged to report the proceedings and speeches at meetings of Post Office officials; and where the items of these expenses will appear in the Post Office Vote?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): The payments made to the official reporters in question amount to £74 4s. 2d. These charges will be included in the total amount expended under the head of incidental expenses.

EMERGENCY MEN.

MR. SHEEHY (Galway, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the case of Lord Clanricarde's emergency men, who were tried at Woodford, on 5th of May, at the prosecution of Mr. Patrick M'Dermott for stealing turf, the property of complainant, which was dismissed by the Magistrates on the ground that plaintiff had his remedy by civil action; whether these same Magistrates fined evicted tenants of Lord Clanricarde some time previously for digging potatoes which they had sown in their lands previous to their eviction; and what action, if any, the police have taken with regard to the turf thefts of Lord Clanricarde's *employés*?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I am informed that the Magistrates, after hearing the evidence, dismissed the case without prejudice, stating that they considered it a case for a civil remedy, as they believed the caretakers did not act with guilty intent, but in the belief that the turf was the property of their employer. In 1888 one evicted tenant was fined for illegally removing the peat from a farm which he previously occupied, but which at the time of the removal was in the occupation of Lord Clanricarde. The Magistrates, who heard the case now in question, did not, as a matter of fact, adjudicate in the case heard in 1888. No action has been taken by the police.

CORONERS' SALARIES.

MR. M'CARTAN (Down, S.): I beg to ask the Attorney General for Ireland whether his attention has been called to

the decision of the Judges in a case reserved by Mr. Justice Andrews, at the Spring Assizes of 1889, for the county of Down, whereby they decided that the annual salary payable to every Coroner ought to be calculated anew in each year, according to the average amount of fees upon the inquests held by him, or his predecessor in office, during the five years then last past; whether he is aware that it was contended on behalf of the Coroners of Down, that the third section of "The Coroners' (Ireland) Act, 1881," which substituted an annual salary in lieu of the fees formerly paid to Coroners, provided, or was intended to provide, that the annual salary was then to be fixed once for all, on the calculation to be first made after the passing and pursuant to the third section of said Act, and an annual salary so calculated was paid to Coroners in Ireland from the passing of the Act up to the time of this decision; and whether, considering that this section of the Act was intended to prevent unnecessary inquests, and that it so operated before the decision of the Judges was given, and considering also that, by this decision, Coroners in Ireland have now a pecuniary interest in holding the greatest number of inquests in every year, he will make inquiry into the matter, with the view to have their salaries fixed once for all, as was intended during the passing of the Act?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I should like to examine the Papers before giving a definite answer to the question.

IRISH LIGHT RAILWAYS.

MR. DALTON (Donegal, W.): I beg to ask the Secretary to the Treasury if he can now state when the Government intend to go on with the Stranorlar and Glenties line, passed unanimously by the Grand Jury at the last Spring Assizes, and supported by all sections of the community; and what is the reason of giving precedence to the Killybegs line, which has not received unanimous local support?

MR. JACKSON: In answer to the hon. Member's question I have to say that the Government, in the interests of the counties, attach great importance to satisfactory arrangements for working being made, and, if possible, with existing railway companies. No proposals for working have, so far as I know, been put forward in the case of the Stranorlar and Glenties line. Proposals for working have been put forward in the case of the Killybegs line, and, therefore, the negotiations have made more rapid progress.

LORD COURTOWN.

MR. JOHN BARRY (Wexford, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the following statement in the *Daily News* of the 24th June:—

"A case has just been tried before Judge Darley, County Court Judge of Wexford, which was an appeal on behalf of Messrs. Kennedy and Doyle from a sentence of three months' imprisonment with hard labour, imposed by a Coercion Court, on a charge of conspiracy. Doctor Counsel appeared for the appellants, and, alleging that the case was one of mere police suspicion, was about to call evidence of character stating that the defendant Kennedy bore the very highest character in his district. Judge Darley, however, when the question of character was being discussed, produced on the Bench a letter he had received from Lord Courtown, who, in an apparently confidential communication, discussed the merits of the case with the Judge, and said the defendant Kennedy bore a very high character, and was a most respectable man, although a member of the National League, and that he had no doubt that that evidence was sufficient to justify Kennedy's conviction. Lord Courtown added a hope that Kennedy's character would qualify his punishment!"

if Lord Courtown made the private communication to the Judge, as alleged; and whether any inquiry has or will be made into the facts of the case?

MR. A. J. BALFOUR: I have no title to interfere with, or ask questions of, County Court Judges as to the discharge of their judicial duties.

MR. T. P. O'CONNOR (Liverpool, Scotland): May I ask whether the right hon. Gentleman is not aware that any person in England who sent such a letter to a Judge would stand a good chance of being proceeded against for contempt of Court, and whether he thinks Lord Courtown is entitled to act in the way he has done?

MR. A. J. BALFOUR: The hon. Member is going on the hypothesis that the statement in the question is necessarily true.

MR. CLANCY (Dublin County, N.): Does the right hon. Gentleman deny the truth of the statement?

MR. A. J. BALFOUR: I do not deny or affirm it. What I say is that I have no title to ask questions of, or interfere with, a County Court Judge in respect to the exercise of his judicial functions.

MR. J. BARRY: Will the right hon. Gentleman inquire as to the facts?

MR. A. J. BALFOUR: No, Sir; it is no part of my duty to write to a County Court Judge asking questions in reference to alleged transactions at some trial in which he has adjudicated.

MR. MAC NEILL (Donegal, S.): Is the right hon. Gentleman aware that this is not the first time that Lord Courtown has interfered with the administration of justice in Ireland?

MR. J. BARRY: I wish to ask the Attorney General for Ireland whether we are to understand that a letter addressed to a Judge in Ireland concerning the character of the defendant on trial before him is not to be held contempt of Court?

MR. MADDEN: The hon. Member has put an abstract question to me. There is an allegation——

MR. T. P. O'CONNOR: "Allegation" indeed! What are you talking about? It is a fact.

MR. MADDEN: A certain matter occurred before a County Court Judge, and my right hon. Friend has already explained clearly that he is unable to ascertain the truth of the statement one way or the other.

MR. W. REDMOND (Fermanagh, N.): Is the right hon. Gentleman aware of the fact that the Judge was influenced in his decision by the action of Lord Courtown, and that the matter was reported in almost every newspaper in Ireland?

MR. A. J. BALFOUR: The only information I have on the subject is derived entirely from the question, and I do not think it necessary to make further inquiry.

MR. SEXTON (Belfast, W.): Will the Chief Secretary bring the matter to the notice of the Lord Chancellor, if he holds that he has no right to interfere himself?

MR. A. J. BALFOUR: The only excuse that I should have in bringing the matter before the attention of the Lord Chancellor would be that, in my opinion, the County Court Judge acted improperly in receiving a letter addressed to him on the Bench, and not punishing the author of it. It is not my business to attack the County Court Judge, which I should be doing indirectly by adopting the course suggested, and I repeat that I have no title to interfere in the matter.

MR. J. BARRY: I beg to give notice that I will take the first opportunity of raising the question in Supply.

FATHER CROWLEY.

MR. FLYNN (Cork, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if it is a fact that, at the trial of Father Crowley, at Bantry, on the 23rd instant, the following forces were stationed in the town: 150 police, under the command of a county Inspector and four district Inspectors; 50 soldiers of the Welsh Regiment, under the command of Captain Trishy; and 50 marines from H.M. Gunboat *Shannon*, under the command of Captain Kelly; and, if so, why was this force drafted into this town? I beg further to ask the right hon. Gentleman whether his attention had been called to the reports in the Cork papers of the trial of Rev. J. J. Crowley, at Bantry, on Monday last, before Mr. Roche, R.M., and Captain Wick, R.M., on a charge brought under the Criminal Law and Procedure Act, in which it is stated that—

"Mr. Shinkevin (counsel for the defendant, said that he should complain that some of his witnesses were not permitted to enter Court) and were hustled about by policemen;"

and that Mr. Roche, R.M., said—

"That orders had been given to admit the witnesses, but the Bench had not control of the outside arrangements of the Court;"

If he can state who had charge of the arrangements outside of the Court, and why were not the proper facilities given for the admission of witnesses on behalf of the accused clergyman?

DR. KENNY (Cork, S.): I beg also to ask the Chief Secretary whether he is aware that on Wednesday, the 25th instant, at Bantry, County Cork, the Rev. Father Crowley, of Goleen, County Cork, was sentenced by the Magistrates, Messrs. Roche and Welch, to sentences of one month each on two charges of intimidation, and a further term of four months in default of giving bail to be of good behaviour, on the charges of having intimidated the Rev. Mr. Hopley, Rector of Tourmore, County Cork, and Sergeant Rourke, of the local police force,

by using expressions of indignation at what he considered the unjust eviction of a Protestant tenant, who is old and blind, named Bayley, and his treatment by the Trustees of the local or Protestant Church, of part of the lands of which Bayley was a tenant, another part of the charge of intimidation against Father Crowley being that he used intimidating language when expressing sympathy with a Protestant tenant, named Tom Donovan, who was recently imprisoned for refusing to remove from his land a hut he had permitted to be erected there as shelter for an evicted tenant; whether his attention has been called to the fact that Sergeant Nolan, who was examined for the prosecution, admitted, on cross-examination, that Father Crowley was remarkable for the moderation of his language, and had often been the means of bringing about amicable settlements between landlords and tenants in the district; and that on several occasions, in his chapel and elsewhere, he had himself heard Father Crowley warn the people against breaking the law, and whether in this case, the Magistrates having refused to state a case for the Superior Courts, any appeal is possible?

MR. A. J. BALFOUR: The Rev. Father Crowley was sentenced for very gross intimidation against a Protestant clergyman, named Hopley, and a police sergeant, named Rourke, for having given evidence against one Donovan, who, as I understand, had threatened violence against Mr. Hopley. Sergeant Nolan praised the moderation which Father Crowley had often shown in his language. Unfortunately, that moderation does not seem to have been invariable. The Magistrates may be compelled by a *mandamus* to state a case if their refusal to do so has been an improper one.

DR. KENNY: How is it, if this is a case of gross intimidation, a sentence of only one month's imprisonment was inflicted, by which the accused was deprived of the right of appeal. In view of his own promises in this House, will the right hon. Gentleman in future instruct the Magistrates to give such sentences as would allow an appeal?

MR. A. J. BALFOUR: I do not admit that the infliction of a sentence of one month indicated that the offence was otherwise than of a serious character. With regard to the last portion of the hon. Member's question I can only repeat that I have neither the right nor the power to interfere with the Magistrates.

MR. J. O'CONNOR (Tipperary, S.): Is the right hon. Gentleman aware that most of the parishioners of this clergyman have joined the Roman Catholic faith as a protest against the sentence?

MR. J. MORLEY (Newcastle-on-Tyne): I beg to give notice that at the earliest possible date I will call attention to this extraordinary case.

MR. T. P. O'CONNOR: Was the alleged intimidation employed on behalf of a Protestant tenant, whom the Roman Catholic clergyman represented as oppressed?

MR. A. J. BALFOUR: No, I do not think that that accurately represents what occurred. The case originally arose from the eviction of a Protestant tenant, but I understand that Donovan, with regard to whom Mr. Hopley gave evidence as to threatened violence, was not a Protestant. [Several hon. MEMBERS: Yes, he was.]

MR. DILLON (Mayo, E.): May I ask the right hon. Gentleman whether he will take any proceedings for criminal conspiracy against the 40 Protestant families who have left the Protestant church and gone to the Roman Catholic church, and thereby deprived the Protestant clergyman of his living?

[No answer was given.]

DONAGHADEE HARBOUR.

COLONEL WARING, (Down, N.): I beg to ask the Secretary to the Treasury whether he has yet received the Report of the Irish Board of Works' Inspector on Donaghadee Harbour, and, if so, what steps he intends to take with regard to it?

MR. JACKSON: I have received Reports from the Board of Works, and have come to the conclusion that it will be necessary to incur some expense, but I am not prepared to do that to any great extent, because the traffic would not justify it.

POLICE PROTECTION IN IRELAND.

MR. M'CARTAN (Down, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will

give the names of the strangers visiting Ireland since 1st January last, who asked for, and received, police protection?

MR. A. J. BALFOUR: I should hope there are none; but, in order to be certain, local inquiries would be necessary all over Ireland.

"SHADOWING."

MR. JOHN O'CONNOR (Tipperary, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has seen the statement in the newspapers that Mr. P. D. Kenny, of Birmingham, who lately visited his relations at Kilkelly, Mayo, was "shadowed" by the police during his stay in that country, although his only object in Ireland was to visit his friends; whether he belonged to any organisation of an Irish character, or joined in any demonstration, or made, or attempted to make, any speeches whilst he was in Ireland; whether he is aware that, while Mr. Kenny was sojourning at his sister's house, two policemen came each morning, watched the doors till he came out, and then followed him wherever he went, keeping constantly within hearing distance, and stopping to listen to his conversation when he spoke to friends whom he met, and that when Mr. Kenny was engaged in changing some clothing in a shop the policemen entered the room where he was and stood staring at him while he was engaged in undressing and re-dressing, and whether he will take steps to have visitors to Ireland protected from being thus followed by the police?

MR. M'CARTAN: I have also to ask the right hon. Gentleman whether his attention has been called to the paragraph in the *Echo* of the 24th instant, under the heading "Shadowing in Ireland;" whether he is aware that Mr. P. D. Kenny, of Birmingham, complains that during a recent visit to his friends in Kilkelly, County Mayo, "his life was rendered unendurable by the persistent shadowing to which he was subjected;" whether two policemen came each morning to his sister's house during his stay there, and watched the doors till he came out, and then followed him wherever he went, and kept constantly within hearing distance of him, and came and listened to the conversation when he happened to meet a friend on the road; that these policemen followed him into a shop where he went to order a suit of clothes, and pursued him into the room where his measure was taken, and remained there all the time he was in the room, and that this shadowing continued until he left the place; and whether he will state by whose directions, and on what ground, Mr. Kenny was thus subjected to a continuous system of "shadowing"?

MR. A. J. BALFOUR: The Constabulary Authorities report that owing to statements in the Nationalist Press that Mr. Kenny had addressed meetings of a National League Branch which was suppressed as an unlawful association, his movements were watched by the police when he entered the proclaimed district, but that it is not the case that they watched his sister's house, nor was any supervision exercised over him there. The police did not enter any room where Mr. Kenny was changing his clothing.

MR. CLANCY asked how the Chief Secretary could pay attention to the statement that Mr. Kenny had attended a meeting of a suppressed branch of the Irish League when he had repeatedly alleged that those branches were things of the past?

MR. A. J. BALFOUR: I only spoke of the desire of Mr. Kenny to appear to have attended, and not of his success.

MR. J. O'CONNOR: I wish to ask whether the right hon. Gentleman has seen by the *Daily News* of a few days ago that I have taken this question word for word from that newspaper; and will he inquire of the editor of the *Daily News* from what source he got his information?

MR. A. J. BALFOUR: I do not think that I can add to my responsibilities that of keeping the *Daily News* straight in all its assertions.

THE ORDER OF SUPPLY.

MR. BAUMANN (Camberwell, Peckham): I beg to ask the First Lord of the Treasury whether he is aware that there are several very important urgent questions connected with Vote 3, in Class 5, of the Estimates; whether there is any reason for the continued postponement of this Vote; and whether he will consult the convenience of he House by taking

the Votes in the order in which they have been begun?

MR. HANBURY (Preston): I should also like to ask the right hon. Gentleman, will the Army Clothing Vote be taken first on Thursday, and then the War Office Vote.

*MR. W. H. SMITH: It is intended to take the Clothing and Victualling Vote first, and the War Office Vote afterwards. I trust that these Votes may both be taken in the course of the evening. In answer to the hon. Member for Peckham, I am aware that there are important questions connected with Vote 3 in Class 5 of the Estimates, and I am anxious that the Vote should be put down for discussion at the earliest possible moment, but at present I am not in a position to say when it will be taken.

*SIR W. BARTTELLOT (Sussex, N.W.): May I ask whether Lord Hartington's Report is to be discussed in connection with the Army Vote? Will the Chairman of Committee allow us to fully discuss that Report on the Vote?

*MR. W. H. SMITH: I ought to say that the Government propose to proceed with the Bills on the Paper on Monday in the order in which they stand. I have always been under the impression that upon the War Office Vote it will be possible for the House to discuss the question which involves the Report of the Commission, presided over by the noble Lord the Member for Rossendale. It is, of course, not in my power to limit the discretion of the Chairman of Committees, but I have little doubt that reasonable discussion will be allowed on the subject of the Report.

*SIR W. BARTTELOT: The Navy question is so mixed up with the Army question that both ought to be discussed together. Does my right hon. Friend think that the Chairman of Committees will allow us to discuss the two questions together?

*MR. W. H. SMITH: I am sure my hon. and gallant Friend will forgive me if I decline to express any opinion upon the point. There are two separate Reports, the one relating to the Navy, the other to the Army, and it is for the Chairman of Committees to determine whether on the War Office Vote it will be right to discuss them both.

*SIR W. BARTTELOT: This is a very important question. Will the right hon. Gentleman set aside a day for the discussion of the Report affecting, as it does, the Navy as well as the Army, if it should prove to be necessary?

*MR. W. H. SMITH: I will endeavour to meet the views of the House. A Vote for the Admiralty still remains to be taken, and it will afford an opportunity for the discussion of the matter in which my hon. and gallant Friend is interested. If it should be possible to place this Vote and the War Office Vote together the Government will do so.

INDIGENT EMIGRANTS.

MR. HOWARD VINCENT: I beg to ask the President of the Board of Trade if his attention has been called to the rejection by America of certain indigent emigrants recently conveyed to New York by the Cunard steamship *Umbria*, and to the company being required by the United States Authorities to bring them back to Liverpool; and, if he can state the nationality of these persons who are unfit for America, and, in the event of their being foreigners, if their re-patriation can be effected, having regard to there being less space in the United Kingdom than in America for superfluous foreign workers?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I am informed by the company that the passengers in question are seven Belgians, who, it is alleged, had, by previous contract, engaged themselves to labour at their avocations as glass-blowers in the United States, and had thus brought themselves within the category of persons who are prohibited by American law from landing in that country; also that the men were not indigent, and that their families who accompanied them to New York, remain in America. It is understood that the men are returning to Belgium.

THE IMPRISONMENT OF MR. JASPER TULLY.

DR. FITZGERALD (Longford, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will state why Mr. Jasper Tully, editor of the *Roscommon Herald*, now undergoing a sentence of three months' imprisonment under the Criminal Law and Procedure (Ireland) Act, has been removed from Sligo Goal to Tullamore Gaol?

MR. A. J. BALFOUR: The General Prisons Board report that the transfer was made in accordance with the general practice in similar cases.

IRISH PRISONERS IN ENGLISH PRISONS.

SIR THOMAS ESMONDE (Dublin Co., S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that at a recent meeting of the Dalkey Town Commissioners, the Chairman refused to allow a letter from the Limerick City Council to be read, which letter contained a copy of resolutions adopted in Limerick relative to the maltreatment of Mr. John Daly and others in English prisons; and what the reasons for his action were; and, if so, why the usual custom was not followed in this case at such Board of reading all communications?

MR. A. J. BALFOUR: I have no control over the Town Commissioners.

CLARE INFIRMARY.

DR. KENNY (Cork, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can state how near to the doors of the Clare Infirmary the police stationed themselves, or were stationed by the officer commanding them, in order to watch the movements of the two hon. Members for Clare on the occasion last year on which the hon. Members attended at the Infirmary for the purpose of fulfilling their duties as Governors of the Institution; and whether the "shadowing" which was practised on that occasion had his sanction?

MR. A. J. BALFOUR: The Constabulary Authorities report that on the occasion in question the police were not stationed at any particular place; nor did they approach the door of the Infirmary nearer than about 100 yards.

CHARGE AGAINST AN IRISH POLICEMAN.

DR. TANNER (Cork Co., Mid): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether a complaint of moonlighting has been brought against a policeman named Palmer, stationed at Shanballymore, near Tipperary; whether it is true, as alleged, that Palmer, under cover of night, attacked the cottage of a poor widow named Corbett, breaking all the glass and sashes in the front and back windows; that Palmer, on being told to desist by Mrs. Corbett, replied "that if she came out he would shoot her," and endeavoured also to burst in the door; and that he attacked and broke the windows at the house of Mr. William Burke at Boheraveedrum, of Michael Bryan and Mr. John Treby; and whether any steps will be taken to prevent similar occurrences in and around Tipperary?

MR. A. J. BALFOUR: I have had no time to receive a special Report on the complaint against the policeman Palmer, but from a Report previously received on the same subject it appears that there are serious charges pending against the constable before the Magistrate. In the meantime, he is, of course, suspended from duty.

MR. SEXTON (Belfast, W.): I would ask whether it is true that on the occasion here referred to the house of a man was attacked at night, that the man jumped out of bed, and pursued the person who had broken the windows of the house, and found him to be a constable, and that the man and his wife took the constable to the police station? Is it true that a number of outrages of the same kind have recently been committed in the district; and, as the right hon. Gentleman, in a recent speech in this House, made the commission of outrages an excuse for the suppression of public meetings in the district, will he institute a special inquiry into the question of the source and origin of these outrages?

MR. A. J. BALFOUR: I do not think there can be any doubt as to the origin of the outrages committed, but I will inquire, if the hon. Member wishes me to. As the constable's case is *sub judice* it would not be right for me to interfere further at present.

THE CENSUS.

MR. WOODALL (Hanley): I beg to ask the President of the Local Government Board whether he is now in a position to say when the Bill for authorising the Decennial Census will be introduced; and how soon the Report of the Departmental Committee will be presented to the House?

*MR. RITCHIE: I hope shortly to introduce the Bill?

THE PAY OF THE METROPOLITAN POLICE.

MR. H. L. W. LAWSON (St. Pancras, W.): I wish to ask the First Lord of the Treasury whether the subject of the pay of the Metropolitan Police, especially with regard to the difference in the rate of remuneration granted to the City Police as compared with the Metropolitan Police, will be referred to the Select Committee appointed to consider the Superannuation Bill?

*MR. W. H. SMITH: I think it hardly possible to do that, as it would be irregular to refer the matter to the Committee.

APPEALS UNDER THE ALLOTMENT ACTS.

MR. J. COLLINGS (Birmingham, Bordesley): I wish to ask the President of the Local Government Board a question of which I have given him private notice, namely, whether he is aware that by the exclusion of all Municipal Boroughs from the operation of the Allotments Appeal Bill, large numbers of agricultural labourers will be altogether deprived of the benefits conferred by the Bill; and whether he will take steps to remedy this defect by giving the same right of appeal to labourers living in the smaller county boroughs as defined in the Local Government Act, 1888?

*MR. RITCHIE: I do not deny that the absence of an appeal in the cases to which the question refers is a matter for regret. As the hon. Member knows, the Government proposed originally that an appeal should be allowed; but the opinion of the House was so opposed to this that, notwithstanding our belief that there ought to be an appeal, we felt we could not resist the opposition. The Government cannot now consent to take the initiative in respect of any legislation intended to remedy the defect to which the hon. Member refers.

MR. J. COLLINGS: There were 200 of these small boroughs, nearly half of them having less than 5,000 inhabitants, and many of them only 2,000. Is the right hon. Gentleman aware that if the measure is not amended a very considerable portion of the agricultural labourers of this country will be deprived of the advantages which it was intended to confer upon them?

*MR. RITCHIE: I am aware that the hon. Member is correct in his statement as to the boroughs which will be placed in the position which he deprecates; but how far the labourers will be deprived of the benefits which it is proposed to confer by the measure I am unable to say.

MEMORANDUM ON THE POLICE BILL.

MR. CAUSTON (Southwark, W.): Will the Home Secretary explain the meaning of the word "confidential" which appears on his Police Bill Memorandum? How far may the House make use of the information contained in it? I see it can be purchased for the sum of 1d.

*MR. MATTHEWS: The word "confidential" was left on the Memorandum by a printer's error.

THE REPORTED CESSION OF DOMINICA.

MR. A. PEASE (York): I beg to ask the Under Secretary for Foreign Affairs whether there is any foundation for the statement which has appeared in the French newspapers, and been copied into the English papers, that the British Government are disposed to cede the island of Dominica to France in consideration of her renunciation of all rights over the Newfoundland fisheries?

*SIR J. FERGUSSON: This is the first I have heard of the report. There is no foundation for the statement.

MOTIONS.

POLICE (SCOTLAND) (PROVIDENT FUND) BILL.

FIRST READING.

(4.40.) MR. HUNTER (Aberdeen, N.): In asking the leave of the House to introduce a Bill to establish an Insurance and Provident Fund for the police of Scotland I hope I may be allowed in a few words to explain the purport of the measure. The reason for its introduction is to be found in a speech made by the Home Secretary on Monday night. The right hon. Gentleman informed the House that, in his opinion, the sum that might ultimately fall on the rates in Scotland under the Government Bill might reach £120,000 a year. Making all deductions, that would involve an ultimate liability

within 25 years of £70,000 upon the ratepayers of Scotland. When we consider the fact that the total amount now paid for police by the people of Scotland is only £145,000, it becomes obvious that an additional sum of £70,000 would be a burden so great that it is impossible to suppose the ratepayers would bear it. I have considered whether the Government Bill could be so amended as to protect the ratepayers of Scotland, and I have found considerable difficulty in doing so in the absence of some special Instruction to the Select Committee. In these circumstances, the only course open to me is to introduce such a Bill, and ask the Government to refer it to the same Committee as that to which their own measure will be referred. I am anxious to assist the Government in getting the Superannuation Bill passed during the present Session, because I conceive if superannuation is not provided at this juncture it may possibly be a long time before it is provided to the police of Scotland. Briefly, my proposition is that a Provident Fund shall be established, to be managed by a Board of five, the Chairman to be paid and appointed by the Government, and the four others elected by the police. To that Board I would hand over the grant of £40,000 and other sources of revenue provided by the Government Bills. I may point out that the Government are giving to this Superannuation Fund a sum which, if capitalised, would amount to £1,800,000. In Superannuation or Insurance Funds provided jointly by employers and workmen the employer acts liberally if he contributes one-half, but in this case the Government are bestowing six times the amount contributed by the police. I propose that the Board should pay pensions to men at a certain age after a number of years service, to be fixed by the Board, to persons wholly incapacitated from any cause whatever, and to the children of policemen who died from any cause whatever.

*MR. SPEAKER: The hon. Member is rather exceeding the brief explanatory statement permissible under the Standing Order.

MR. HUNTER: I was about to conclude. I propose that pensions should not be forfeitable under any circumstances, and that a policeman leaving the Force, whether dismissed or discharged, shall be entitled to get back his contributions with compound interest.

Bill to establish an Insurance and Provident Fund for the Police of Scotland, ordered to be brought in by Mr. Hunter, Mr. Asquith, Mr. Bryce, Mr. Esslemont, Mr. M'Ewan, Mr. Philipps, Mr. Robert Reid, Mr. Angus Sutherland, and Mr. John Wilson.

Bill presented, and read first time. [Bill 360.]

DIVORCE BILL.

On Motion of Mr. Hunter, Bill to amend the Law of Divorce in England, ordered to be brought in by Mr. Hunter, Mr. Asquith, Mr. Cobb, Mr. Fenwick, and Mr. Herbert Gardner.

Bill presented, and read first time. [Bill 361.]

SELECT COMMITTEE ON BUSINESS OF THE HOUSE (ABRIDGED PROCEDURE ON PARTLY CONSIDERED BILLS).

Ordered, That the Committee do consist of 21 Members.

Mr. Arthur Balfour, Sir Algernon Borthwick, Sir Edward Clarke, Mr. Chamberlain, Mr. Dillon, Mr. Dillwyn, Mr. Penrose Fitzgerald, Mr. Goschen, Mr. Gladstone, Sir William Harcourt, Mr. Hunter, Lord Hartington, Mr. Jennings, Mr. Labouchere, Colonel Malcolm, Mr. John Morley, Sir Stafford Northcote, nominated Members of the Committee.

Motion made, and Question proposed, "That 'Mr. T. W. Russell' be one other Member of the Committee."—(*Mr. William Henry Smith.*)

(4.52.) MR. LABOUCHERE (Northampton): If the House will examine the names it will see that the Committee as nominated comprises 12 supporters and nine opponents of the Government. These numbers, I believe, are based upon the proportional representation of Parties in the House in the ratio of one representative on the Committee for every 32 Members of the House. But even that does not work out quite right, because these proportions would give the Government $11\frac{3}{4}$ and the Opposition $9\frac{1}{4}$. I do not wish so much to raise any question about these figures as to object to the present system of nominating Select Committees. Up to 1880 the House was divided into two great Parties—the supporters and opponents of the Government; a Select Committee consisted of an odd number; and the Government had the odd man. In 1880, when the Liberals were in office, the Irish Members were about equally divided between opponents and sup-

porters of the Government; and it was therefore agreed that the Irish of each side should have one Member on a Committee, so that the principle was still retained of allowing the Government one more Member than the Opposition. When the present Parliament was elected, an alteration had to be made, because it was found that certain gentlemen sitting on the Opposition side, and calling themselves Liberal Unionists, or some such absurd name, were to all intents and purposes supporters of the Government. It was not known at first what precisely these gentlemen were; we thought they had a merely temporary fad, and that in all probability they would very soon find salvation. We did not know that, except on one particular matter, they were disposed to support the Conservative Government; but the illusion is now dispelled, and at the present time they are really as strong supporters of Her Majesty's Government as the Conservatives.

MR. JESSE COLLINGS (Birmingham, Bordesley): Hear, hear!

MR. LABOUCHERE: The hon. Member for the Bordesley Division admits the soft imputation. On account of this attitude of the Liberal Unionists it was decided to have a numerical representation of Parties on Select Committees; and the result is that the Government get a very considerable majority. It is a very different sort of a majority from that given to the Government by its having the odd man, which gives the Government a majority in case of a Committee being equally divided. In such a case the Report of the Committee would not be deemed to be so important, nor would it have such influence with the House if it were carried only by the casting vote of the Chairman. It may be said that in a Select Committee on procedure no Party question could arise; but I can conceive it possible that a Party question might arise in this Committee. Liberals may agree to the general principle that Bills should be carried over to another Session; but then would arise the question whether the principle should be applied to Bills of this Session or not. I can conceive the Liberals saying, "No; we think the matter ought to be discussed still further; we will not proceed in a hasty and impulsive fashion; we may lay down a principle, but may object to acting upon it before the coming Session." On the other hand, the Conservatives might say, "The Government have got into a terrible mess; they have had to give up one proposal, and they will have to give up their Irish Land Bill unless they can carry it forward to next Session." This is an illustration only of the way in which Party feeling might be introduced unless the House returns to the whole system of constituting a Select Committee. These Committees I am perfectly certain will not command the confidence of the country or of the House. I protest against a Committee of this kind being appointed with 12 supporters of the Government and only nine of the Government's opponents. Though I do not wish to make a personal question of it between the hon. Member for South Tyrone and the hon. Member for East Donegal, I propose to move to substitute the name of Mr. Arthur O'Connor for that of Mr. T. W. Russell, because I think the Liberal Unionists are over-represented on the Committee. If they are to be treated as Members of the Government Party the Government ought only to have 11 Members on the Committee, leaving 10 for the Opposition; and I think if this principle were adopted the decision of the Committee would be more likely to commend itself to the House.

Amendment proposed, to leave out the name of "Mr. T. W. Russell," in order to insert the name of "Mr. Arthur O'Connor,"—(*Mr. Labouchere,*)

—instead thereof.

Question proposed, "That the name of 'Mr. T. W. Russell' stand part of the Question."

*(5.5.) MR. W. H. SMITH: I understand the Motion of the hon. Gentleman to be that the practice of Parliament for the last 10 years shall be departed from now, in order that the House may return to a practice which was condemned by the Government of the right hon. Gentleman the Member for Mid Lothian. I prefer not to rest on my own authority in matters of this kind; and I will quote a high authority, and one which has guided the House for a good many years. The right hon. Gentleman the Member

for Mid Lothian made the following statement in July last :—

"It is undoubtedly the fact that some time ago the practice prevailed according to which it was usual, and I believe invariable, at least in Committees of smaller size, that a majority of one should be conceded to the majority of the day. I must say that I never admired the plan. I always thought the Rule a bad Rule, and I was always glad to avail myself of an opportunity of modifying it and altering it according to the practice which prevailed for a good many years before that Rule, and which has prevailed during the existence of the present Parliament. That is to say, that any Committee of the House should be made—especially when there is a matter of very great public interest, importance, and delicacy—as carefully and as nearly as may be the accurate representation of the sentiments of this House."

This is a question of great public interest, importance, and delicacy, and I think I should have the complete support of the right hon. Gentleman the Member for Mid Lothian on this Motion, as the result of it would be to make the Committee an accurate representation of the views of the House. I am sure the Government and the House are very glad to hear the hon. Member for Northampton say that he will approach his duties in the Committee without any Party feeling; but bearing in mind the infirmity of human nature, and especially of Members of Parliament, it is very difficult indeed to find any question which does not become a Party question when hon. Members of this House come together. I think I am accurate when I represent the hon. Gentleman as saying that, while the Liberal Party may possibly assent to the principle, they may think it necessary to protest against its application at a particular time.

MR. LABOUCHERE: I only said it was possible.

*MR. W. H. SMITH: It is for the Committee, and especially for the unprejudiced Members of the hon. Gentleman's own Party, when they find themselves in that Committee, to speak for themselves in such a matter; but it is for the House to consider whether a principle agreed to by a Committee shall or shall not be applied to a particular Bill at a particular time.

MR. LABOUCHERE: The right hon. Gentleman is rather unfair in putting words into my mouth. I suggested that the Conservative majority might act on Party lines.

*MR. W. H. SMITH: I should be sorry to put any suggestion into the mouth of the hon. Member. I am not desirous of entering on Party questions. I believe that the Committee will approach the consideration of the question which is referred to them with a full sense of its importance, and with no prepossessions. The question which the hon. Member has raised is whether we shall revert to the former practice prevailing before 1880, or whether we shall adhere to a practice which has existed now under three successive Governments and in three successive Parliaments, and which is supported by the very high authority of the right hon. Gentleman the Member for Mid Lothian. I believe that the course which the right hon. Gentleman has so consistently supported is the wisest and the fairest course for Parliament to adopt, and that a fair representation for all Parties in this House is the best method by which we can arrive at a successful result of the delegation of important duties to a Select Committtee.

(5.12.) SIR W. HARCOURT (Derby): I regret that the right hon. Gentleman the Member for Mid Lothian is not here. What I have to say is, of course, that I am in entire accordance with what the right hon. Gentleman the Member for Mid Lothian has said on a former occasion. With reference to the rule of the Government only having a majority of one, I agree with what has fallen from the right hon. Gentleman opposite as to what was said by the right hon. Gentleman the Member for Mid Lothian last year. My hon. Friend the Member for Northampton must remember that it is important—and never more so than at the present time—to have regard not only to the rights of minorities, but also to the future interests of majorities. It is extremely inconvenient, as we have experienced in former times, for a Government to have only a majority of one in a Select Committee on an important question, especially if the Government have a great majority in the House and in the country. I do not object to the Government having in Select Committees a majority proportionate to their majority in the House, and this principle has been very much recognised in Grand Committees. No doubt great difficulties have been introduced by the novelty of having

sectional Parties in the House. That, in my opinion, is a great Parliamentary misfortune. It was an unfortunate creation of the last General Election, and I hope that the next Election will sweep those sections away. Of course, it is extremely awkward to deal with the constitution of Committees when a certain body of Members are calling themselves by one name and acting under another. It is an embarrassing condition of things unknown in the history of former Parliaments, and we must make temporary arrangements to meet what we may hope to be a temporary evil. This is not a Party question; I do not see why Party considerations should arise in it; and I am confident that it will not be settled by a Party majority either in the Committee or in the House. It will be utterly impossible to deal with so grave a question as is involved in this proposed Constitutional change unless by general consent, both in the House and the Committee. Therefore, I do not, in reference to this particular Committee, concern myself very much about counting heads or reckoning upon close majorities. Though the House has admitted the question of proportionate numbers upon Committees in accordance with the state of Parties in the House, I would point out that the considerable changes that have taken place since the arrangement as to proportions was made have left Members on this side of the House not altogether satisfied, and they will not acquiesce in those proportions in the future. They feel that they are entitled to a larger share of representation on the Committees than they were at the beginning of this Parliament. I am not surprised that some dissatisfaction has arisen on account of the way in which those who were termed Liberal Unionists have been put forward in the matter. I think it was very unwise that opportunity should have been taken at this particular moment and on this particular question to give to that fraction a numerical force on the Committee to which they are not entitled, and I can well understand that Irish Members below the Gangway will not be satisfied with that course. I think, too, the House will notice with surprise that the right hon. Gentleman the Member for the Thanet Division has not been nominated for the Committee, seeing that he has expressed independent opinions on the matter. I feel that I cannot altogether agree with the hon. Gentleman the senior Member for Northampton that we should revert to the old system. I do not wish, however, to disturb the arrangement that has been made between both sides of the House, and therefore I feel bound to support it. I do hope that nothing that takes place now or hereafter will give a Party aspect to a Committee of so important a character.

(5.21.) MR. DILLON (Mayo, E.): The First Lord of the Treasury, quoting the right hon. Gentleman the Member for Mid Lothian, has said that in his opinion the Committee of this House should be representative of all sections of opinion in the House. We think that this Committee is not representative of one section, and I hold that the Irish Party have grave reason to complain that they are not fairly represented on the Committee. I have no desire to quarrel with the principle that the Government should have a majority on the Committee proportionate to their majority in the House; but in this case the Government must admit that they and the Liberal Unionists are one Party, or they would have no ground for the position which has been taken up by the Leader of the House in regard to this Committee. On the other hand, the Liberal Unionists must accept the position that they are not an independent Party, but a portion of the Tory Party. What claim, again, have the Liberal Unionists to three Members on the Committee, exclusive of the Chancellor of the Exchequer, who, although a Member of the Government, claims to be a Liberal Unionist? The Irish Members number 86, and the Liberal Unionists only 68, yet the former have only two Members on the Committee, while the latter have three. That is most unfair, according to the principle of proportionate representation laid down by the First Lord of the Treasury. When we look into the question narrowly there seems to be a particular reason for this. The object of the proposal appears to be to appoint a Committee, not so much to examine into the procedure of the House in order to ascertain how business may be facilitated,

as to see how the passing of the Irish Land Bill may be facilitated. For it will be seen, on close inspection, that all those nominated to represent the Government and the Liberal Unionists on the Committee are known to be in favour of the Irish Land Purchase Bill, and of holding it over to another Session. Whose names appear in the list? Mr. Arthur Balfour, Mr. Chamberlain, Mr. Penrose Fitzgerald, Mr. Goschen, Lord Hartington, and Mr. T. W. Russell. All these are known as active supporters of the Land Bill, and it is a remarkable fact that no hon. Members who object to the proposal, whether Conservatives or Liberal Unionists, or who belong to the independent section of the Tory Party, are included. The Leader of the House has spoken of the freedom of action that should be allowed to the Committee; but, in my opinion, a deliberate attempt is being made by the Government, by nominating Members whose opinions are well known to be in a particular direction, to secure a Report that will be in favour of the Irish Land Purchase Bill, and of hanging it up until another Session. That, I contend, is another reason why the Irish Party should insist on the principle laid down by the Government of a fair numercial representation on the Committee, and I submit we are entitled to use every exertion to secure that this Committee is made representative of all sections of the House. For these reasons I most strongly and confidently support the Motion of my hon. Friend.

Question put, "That Thomas Wallis Russell be one of the Members of the said Committee."

(5.30.) The House divided:—Ayes 273; Noes 163.—(Div. List, No. 164.)

Mr. T. W. Russell nominated one other Member of the Committee.

Mr. Sexton, Mr. John Talbot, and Mr. Whitbread nominated other Members of the Committee.

Ordered, That Seven be the quorum.

Ordered, That the Reports of the Select Committees of the House on Public Business of the Sessions 1861, 1869, and 1878, and the Return "Parliamentary Proceedings," of the present Session, be referred to the Select Committee.

ORDERS OF THE DAY.

POLICE BILL.—(No. 338.)

SECOND READING.

Order for Second Reading read.

*(5.46.) THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): In moving that this Bill be read a second time I shall not think it necessary to detain the House with any long statement of the circumstances which have led to its introduction. I believe the House is aware that a Committee reported to the House in 1877 that dissatisfaction existed among the police, especially in the provincial forces, and mainly on the ground of the uncertainty as to pensions. Policemen had to wait until they were invalided or were 60 years of age before they could receive any pension. The Committee condemned the precarious and discretionary pensions, and recommended pensions as of right, after 15 years' service on a medical certificate of permanent incapacity, and after 25 years' service without medical certificate. They reported in favour of the Metropolitan Police scale as that on which pensions should be calculated. This Report produced a series of Bills. Mr. Hibbert introduced Bills in 1882, 1883, and 1884, and the right hon. Member for Wolverhampton, (Mr. H. H. Fowler) introduced one in 1885. These Bills were not proceeded with. On one occasion only—in 1884—did any of them get as far as Second Reading. I think it is no secret that the reason those Bills were not proceeded with was the opposition of hon. Members who represented the views of the ratepayers, and who thought that the burdens of local taxation were sufficiently heavy already, and that Imperial resources should be used to assist the local rates. These Bills were similar in their general outline. They all gave the constabulary, both in the Metropolis and in the Provinces, a right to a pension, instead of leaving it a mere matter of discretion, and they all established a Superannuation Fund, in which the ultimate burden of pensions was thrown on the rates. It was, of course, necessary that some assured source should be provided from which to obtain pensions which were no longer to be a matter of discretion, but of right.

A Bill was passed in 1883 for the Dublin Police and the Royal Irish Constabulary, framed on the same lines, and last year the City of London passed a Private Bill which established a system of superannuation for the police in that City. No one can deny that these facts constitute a strong Parliamentary case for legislation. The present Government were prepared to deal with the subject in 1887, but the Local Government Bill was then in an advanced state of preparation, and that rendered it desirable to give the new authorities time to consider the subject. Moreover, at that time a Royal Commission was inquiring into the subject of pensions generally, and the question of the superannuation of the police was not unnaturally postponed. The Chancellor of the Exchequer has this year found means for contributing out of Imperial taxation towards the relief of the burden of superannuation, which would otherwise have fallen on the rates, and I trust there is now no longer any reason for delay. Delay is indefensible on many grounds. It will only increase the demands on the public purse, and may throw doubts on the sincerity of this House to deal promptly and effectually with what is admitted to be a grievance. Accordingly, we ask the House to give a Second Reading to this Bill. The present Bill is based on that which was brought in by the right hon. Member for Derby (Sir W. Harcourt) and the right hon. Gentleman the Member for Wolverhampton (Mr. H. Fowler) when the former was Home Secretary. I mean the Bill of 1885. I know that on that occasion most careful consultations took place with the Metropolitan and the Provincial Police and the Treasury, and the Bill was the result of that careful consultation on the part of all those authorities. I therefore think it only fair to say that whatever credit may be due to the Bill I am presenting to-day, I desire to attribute it to the right hon. Member for Derby and the right hon. Member for Wolverhampton. On their Bill I have made some corrections in detail, which I think the right hon. Gentlemen themselves will admit to be necessary. The objects of the Bill are twofold. We desire to give not only fair, but liberal treatment to the constabulary throughout the country. They are not only a most deserving body of men, but we believe it is in the interests of the localities themselves that some fair and sound scheme of superannuation should be established. Our second object is to give full consideration to what is fair also to the ratepayers, who, after all, are a body of men many of whom are struggling with the necessities and difficulties of their circumstances, and whose burdens ought to be considered above all by the House of Commons. The main principle of this measure, like those of our predecessors, is to give to every constable throughout the country a pension, no longer as a matter of favour, but as a matter of legal right, with an appeal to a Court of Law if his pension is withheld from him after he has fulfilled the conditions necessary to entitle him to it. The ordinary pension is earned by 15 years' service and proof of physical disability for further service by medical certificate, or after 25 years' service without certificate. We have adhered to the period recommended by the Committee of 1877, and all the information leads us to believe that at any rate in the Metropolitan Force the utility of a constable is so far reduced that it is not desirable, either for his own sake or that of his employers, that he should continue in the service after 25 years on full salary. We have not imposed any limit of age, but have left that to the Local Authorities to decide. I do not propose to censure any Police Authorities, but it is obvious that the numbers of pensioners throughout the country is not up to the mark. This is no new discovery, for in the Report of the Committee of 1877 hon. Members will find it calculated that in the Metropolis out of every 100 men engaged there are 14 pensioners, in the counties 12, and in the boroughs eight. Returns made up to this year concerning superannuation to the police show that the number of pensions in the County and Borough Forces is still proportionately much below the number in the Metropolitan Force. Here, again, I do not wish to trouble the House with more figures than I need. Whereas in the County and Borough Forces of close on 12,000 men in each, as compared with the Metropolitan Force of 14,000, pensioners number 2,105 in counties, and 1,510 in

boroughs, they are 4,074 in the Metropolis.

MR. H. H. FOWLER (Wolverhampton): Are the City of London Police included in the boroughs?

*MR. MATTHEWS: I include the City Police in the boroughs, as they occupy a distinct position from the Metropolitan Force. They are a different force under different administration. The effect of this Bill will be that the men who are entitled to pensions in the provinces will get them, and, of course, there will be increased cost for the provincial Local Authorities. This, of course, is the dark side of the picture. These are the main outlines, and I need not dwell on subsidiary provisions. Under this Bill the medical inspection and certificate upon which these pensions are awarded are to be made realities. We mean that the men should be really invalided before they receive relief at the hands of the ratepayers, and therefore provision is made for examination, if need be, by independent medical men. There is also a provision for a limited reduction of the pension allowance in cases where constables by their own vicious habits—drunkenness, for example—have contributed to the ailments unfitting them for service. These are provisions difficult to apply, but useful to insert. There are clauses rendering a constable liable to serve again if his incapacity should cease, and providing that any deductions made for misconduct during a policeman's career in the force shall be announced to him at the time, and shall be made according to rule and not arbitrarily. There is a clause providing for special pensions at a higher rate for constables disabled by injuries received in the execution of their duty. The average annual number of such pensions in the Metropolitan Force, taking the years between 1878 and 1888 inclusive, was only 21. This class of pensioners is therefore not a large class, but it is a most meritorious one. The injuries received range over a large scale, some being purely accidental and some the result of courageous conduct on the part of the constables. They range, in fact, from the case of a constable injured in consequence of his slipping on a piece of orange peel, to the case of a man who engages in a conflict with an armed burglar. Then we also propose to grant pensions to widows and children on a more liberal scale, and to give gratuities to constables who have not served sufficiently long to earn pensions. I now come to a very important point. What will the cost of this system be? I believe that the House will not grudge the cost of any pension system which is just and fair to the constable, which is not excessive on the one side nor parsimonious on the other. But we must look carefully at the figures to ascertain what the cost will be. In the Metropolis the Pension List has grown in a manner which is not without ugly features. The payments for pensions and gratuities which in 1870 were £87,492 a year have grown until this year they amount to over £200,000. The progression has been at a rapid rate. In 1870 the force amounted to slightly over 9,000 men; in 1888-89 it amounted to 14,242. I need not point out that the pension charge is one that does not accrue in the first years of the force, and under the metropolitan system it begins to accrue at the end of 15 years' service and the periodical increases of the force of course go to swell the ultimate total. The present system has not been in operation long enough for the full effect to be predicted. The figures are a little remarkable, and will interest those whose attention is directed to this subject. The existing scale of pensions was established in 1862. In that year only 18 per cent. of the force reached 15 years' service; only 8 per cent. reached 20 years' service; and only 2 per cent. reached 25 years' service. The records of the five years from 1884 to 1888 show a remarkable change, for 43 per cent. attained 15 years' service; 34 per cent. attained 20 years' service; and 15 per cent. attained 25 years' service.

*MR. STOREY (Sunderland): Are these estimates?

*MR. MATTHEWS: No; they are actual results taken from the figures in the Receiver's Books.

*MR. ISAACSON (Tower Hamlets, Stepney): Can the right hon. Gentleman give the limit of age in 1862?

*MR. MATTHEWS: No, I cannot answer that question. So far as I am aware, there never was a limit of age, but the average age during both periods of entry into the Service was 22 or 23 years. For some years very young men were

taken into the service. The result of the experience we have had is, as I find from Dr. Farr's Report, that while it was anticipated that 14 per cent. only of the men entering the force would be pensioned, in the last five years 28 per cent. have come to the Pension Fund. Every year more and more men are brought into the Pension List. The men who enter the force now are younger men and men of better character, and the relative attractiveness of the force has increased. It is clear that we have not yet reached the maximum cost of the pension system, which has been in force since 1862. We have already reached the amount of £200,000, and must look forward to some 20 or 30 years more, during which the charge will grow at a rate more or less rapid. The ultimate charge will depend not only upon the number of pensions, but also on the pay which the men have received before becoming pensioners. As you increase the pay so will you increase the charge for pensions. The pension charge is a serious item, and the scale of the pensions is therefore most material. You must bear in mind that you have to act with fairness to the ratepayers. After full deliberation, we have presented the existing metropolitan scale, and we have not gone beyond it. The scale in the Metropolis has undergone several changes. The law upon the subject is that the Police Authorities in the provinces, as well as in the Metropolis, are able now to give not more than one-half pay after 15 years' service, not more than two-thirds pay after 20 years' service, and only on the condition that a man is disabled or is 60 years of age. Up to 1862 the scale in the Metropolis was very like that which the constables are now asking for. It was a scale of thirtieths, beginning with 15-30ths after 15 years' service, and giving 20-30ths after 24 years of service. This scale was examined actuarially by the late Dr. Farr, and it was reported by him to be unduly extravagant and to involve great danger in the future. Upon that Report the scale was altered to fiftieths, at which it has remained ever since. It gave one-fiftieth for each year of service after 15 years, but still always upon the condition of a medical certificate of disability or the attainment of the age of 60. The maximum of two-thirds of the pay was the ultimate limit, attainable only after 33 years of service. This scale was adopted on the recommendation of Dr. Farr, and it was altered in 1873 by Mr. Lowe, who raised the scale and made it more advantageous to constables by giving two-fiftieths for each additional year of service between 20 and 25 years; consequently two-thirds of the pay was attainable by 28 instead of 33 years of service. This scale has been in force ever since. It must not be supposed that since that time the constable has not secured advantages. He has had an increase of pay, tending to a considerable increase of pension. The first-class constable who, in 1864, received only £57 4s. a year, receives now £78; the first-class sergeant who in 1864 received £66 6s., has since 1878 received £100 per annum. There has, therefore, been a large increase of pay; there has been a considerable increase of average pay from police constables upwards, and there has been a considerable increase in the average pensions. In 1873 the average of the pensions was £44, and in 1889 it was £46. I give the round figures, omitting the odd shillings. There have also been other advantages in the shape of more rapid promotion from the rank of constable to that of sergeant. Therefore, while this scale has been in force, the condition of the men, both as to pay and pension, has been materially improved. This metropolitan scale, with its consequences, going up to £200,000 a year, is binding upon us; it is a legacy which we are not at liberty to shake off; we must submit to the burden. The question is whether for the future you are going to adopt a more liberal and lavish scale than the scale which has led to these results, and whether you are going to put on the ratepayers a heavier obligation. After full consideration, we have not felt justified in recommending any higher scale, and there is strong authority in support of our conclusion. It was the scale adopted in every one of the Bills of the right hon. Gentlemen opposite. The metropolitan scale was the maximum adopted by the right hon. Member for Derby. It was adopted in the Irish Act of 1883, and in the Act of 1889 for the City of London, which is lavish in these matters—["No, no!"]—well, then, abun-

Mr. Matthews

dantly liberal. It gave three-fifths, and not two-thirds, of the pay after 25 years' service. Although the Bill of last year adopted the same principle that we have adopted—namely, that pension should be given without disablement—yet it says that shall not be earned until a constable is 50 years of age. We have no necessary limit of age. But I have not exhausted our authority. The Committee of 1877, after giving full examination and careful study to the question, recommended that the metropolitan scale was one they thought fair as well as liberal. The scale is one which tends to prolong active service over 20 years. There are some curious and amusing illustrations of the operation of the scale of 1862 in precipitating retirement on medical certificates at certain dates when it was accompanied by pensions of increased amount. It is of great moment that you should graduate your pensions so as to postpone the temptation to leave the force, whether upon medical certificate or not, until the period of life at which a constable's services become less valuable. The result of the scale is, of course, that pensions after 25 years of service will be three-fifths, and not two-thirds, of the pay. The Metropolitan Police ask two-thirds, and we are told that it does not amount to much each man.

SIR G. CAMPBELL (Kirkcaldy, &c.): Do the men or the officers demand it?

*MR. MATTHEWS: I think it is demanded all round, and that without very much consideration. It is an easy formula—all members of the force two-thirds pension after 25 years' service. But although I agree that the amount in each case is not large I must remind the House that the ultimate cost of the difference may become a cardinal matter. I will not, however, attempt at this moment to say exactly how much it would be; but according to the best information I have received the ultimate cost of the difference between two-thirds and three-fifths may come to £45,000 a year, which means something between a farthing and a halfpenny rate on the present valuation of the Metropolis. Therefore, I say, do not suppose you are dealing with a trifling matter in considering the difference between the proportions of two-thirds and three-fifths. Then you must remember that if you take two-thirds instead of three-fifths you dislocate the scale. You must either go with a jump from 28-50ths to 33-50ths at the 25th year, which would be an undesirable thing, or you must graduate the scale in the anterior years at a higher figure up to the 33-50ths, the result of which will be to increase the cost of every pension between 20 and 25 years, so as to make a solid addition to the difference between two-thirds and three-fifths. You must also bear in mind that this concession of two-thirds instead of three-fifths, if given to the Metropolitan Police, cannot well be withheld from the Irish Constabulary, and that the Dublin Police and the Provincial Police throughout the country will ask for it, too; while the City of London Authorities, who are never behind in their liberality in these matters, will also have to raise their pensions in conformity to the scale fixed for the Metropolitan Police. These, I think, are considerations which the House should weigh as the Government has weighed them. Let the House look at the result in figures, and say whether what we propose is illiberal or unfair. The three-fifths we propose in the Bill is, for a first-class constable, £46 16s. a year; for a sergeant it varies, according to class, from £53 to £59 a year; and for an inspector it varies from £70 to £97 10s. a year. These would be the pensions at the scale of three-fifths after 25 years' service. I ask hon. Members who advocate the claims of the Metropolitan Police to consider whether these amounts are not fair and reasonable pensions to offer to the men. Remember that by this Bill a man will get a pension at 46 years of age, for his service begins at 21, and is complete at 46, and the House knows what is the class of life from which the best constables are drawn, namely, the best of the artisan and labouring class. A man will at 46 years of age receive a pension of £46 16s., while it is not necessary that he should be invalided and have a medical certificate that he is incapacitated from the further performance of his duties. Therefore, he will not be disabled from earning money elsewhere, and it is not mere conjecture when I say that a man will be able to earn something besides his pension. I have had the record of

1879 looked into to see what became of the pensioners. There were 159 men pensioned in that year under the old system, when every pensioner had to have a medical certificate setting forth that he was incapacitated from further duty, whereas now, each policeman will retire after 25 years without any such certificate being required. Of these 159, 76 were earning on an average £54 14s. a year in addition to their pensions, and 83 were earning nothing; but this fact shows that the pensioned man leaving the Police Force, even with a medical certificate of incapacity for the further performance of his duties, can find remunerative employment elsewhere, and no one, of course, can grudge him that. On the contrary, I am sure we are all extremely glad to think he can do so. The House will observe that these pensioned policemen are sought after for many purposes by employers, because, in the first place, they are men of good character, and because, in the next place, there is a guarantee afforded by the fact that the pension is forfeited, under this Bill as before, by any disgraceful conduct. Therefore, the employer has the strongest guarantee for the good conduct of the men. I want the House to observe that the number of men who have served 25 years is not the insignificant matter suggested by the question put by my hon. Friend (Mr. H. Vincent) in the earlier part of the evening, and cannot be regarded by the Government as a matter of indifference. If my hon. Friend will take the trouble to consult the police records he will find that of late years the number of men who have resigned after 25 years' service, or more, is a steadily progressive figure. In 1880 only 34 constables out of a total of 131 pensioners had served 25 years or more; but in 1888, 62 out of 163 pensioners had served more than 25 years, a ratio very nearly double that of 1880. Generally, I may state that in the year 1888 the retirements on pension in all ranks, with a service of 25 years or more, were no less than 38½ per cent. of the whole number of pensioners. That is an enormous progression in length of service, for in the earlier years of the Service nothing like that will be found. Therefore, I say that every year in which this increased length of service is found it is obvious that this change will become of more financial consequence. But whatever is fair and reasonable ought to be done without the question of cost being considered, and so I prefer to present to the House the view that this amount of pension, namely, £46 16s. to each constable, from £53 to £59 for the sergeants, and from £70 to £97 for inspectors, is a fair amount, being given, as it will be, without a medical certificate, although the men may be a good deal battered and worn by length of service. I fear I may have detained the House too long on this matter; but it is one of considerable interest. I was anxious to put the case fully before the House. Of course, the House is aware that the men contribute to the Pension Fund by deductions from pay. In the Metropolitan Police the deductions are, for ordinary constables, practically 2 per cent., and for superior officers 2½ per cent. Those deductions, if capitalised and invested, would not pay 1-10th part of the proposed pensions, and, therefore, it cannot be said that this scale is illiberal or unfair. Let me mention one other feature of the Bill which to provincial Members may be a matter of interest. We have laid down for ordinary pensions —that is, for pensions other than for injury—a minimum as well as a maximum. The idea is that each Local Authority shall draw its own line within those limits according to its own idea of what is fair under local circumstances. There, again, the maximum remains the Metropolitan scale, and the minimum is, of course, a matter entirely for consideration by hon. Gentlemen representing provincial constituencies. I do not know whether I have drawn it too high or too low; but I have endeavoured not to be to illiberal to the police. The principle is to give to each Local Authority a certain amount of latitude. Again, we have empowered any Police Authority that thinks fit to impose a limit of age as a condition of earning the 25 years' service pension. The Bill of the right hon. Gentleman the Member for Wolverhampton fixed positively the limit of age at 55 years; but I have come to the conclusion that that is a limit which ought not to be fixed in the Metropolis. Few of the men in the Metropolitan Force reach that age while in the Service, and to fix such a limit would be to take

back with one hand the boon we give with the other. In the City, I believe, the limit of 50 years of age has been imposed before the service pension can be obtained. We enable each authority to impose the limit for itself. I will now come to the interesting question of the Superannuation Fund. Here, again, the Government have followed the precedent of the Bill of the right hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler.) I think we have provided for the Superannuation Fund the same sources of income, with the addition, of course, of the Government contribution. The right hon. Gentleman asked the other evening what were the amounts that these various sources would furnish. I have sent round to all the Local Authorities begging them to give me the figures necessary to answer the question with precision. I have not yet received the answer, but I hope confidently to lay the information before the House before the Bill is in Committee. The right hon. Gentleman is probably aware of the Return which Mr. Hibbert procured. It was a Return of 10 selected counties and 10 selected boroughs, setting out the amount of the different sources of income in them. This, however, must be an imperfect guide, so far as the whole country is concerned, because circumstances have changed a great deal since the figures were collected. Still, they will serve to some extent. With regard to the mode of distributing the Government contribution, every kind of principle of distribution has been suggested to us—population, rateable value, numbers of the Force, and so on; but I think that I shall be able to show the House that the proper principle to adopt in regard to the relief of local charges is to grant that relief in proportion to the actual charges, so that according as each locality has more or less to pay for pensions so ought the Government aid to be given. If all the Police Forces of the country were of equal standing that would probably be the right method; but the House will see that in the case of a new Force recently established the locality would get nothing for 15 years, because during that time there would be no pensioners. Accordingly the principle we have adopted in this Bill is that from the beginning we give to each Police Authority an amount equal to the rateable deductions from the police pay that have been made in the locality in each particular year, and the rateable deductions may be as high as 2½ per cent., and I daresay, in many cases, will be. The Government will, therefore, add another 2½ per cent., making 5 per cent., which will, in fact, double the contribution of the Police Force to the Superannuation Fund. In the counties the rateable deductions amount to £20,000, and in the boroughs to £22,000, so that £42,000 odd would be the rateable deduction according to the Return I have produced in counties and boroughs, excluding the Metropolis. That will leave a balance of £107,000 out of the Government grant of £150,000 to be distributed among the localities according to the principle I have mentioned, that is, in the ratio of the actual pension charges.

MR. H. H. FOWLER: The entire deduction from the pay of the police during last year was £44,000, of which £21,000 was the deduction in the Metropolis.

*MR. MATTHEWS: The right hon. Gentleman is quite right as to the Metropolis. The deductions from pay in the Metropolis were £21,000, in the counties £20,198, and in the provincial boroughs £22,439. Well, such is the principle the Government have adopted. We make what I may call a "nest egg" in the shape of a fund that must be invested and placed to the Superannuation Account. Of course, it is impossible to prevent any system from being abused; but I think that, on the whole, our plan will be found to give the fairest share to all parties. There is ample evidence that the Government contribution is needed, for there is a large amount of deficiency to be made up in the Superannuation Funds. In the Metropolis the deficiency is close upon £140,000; in the counties, £28,500; and in the boroughs, £14,000. They want this now, and still more will be needed when a more certain and uniform system shall have come into operation. If it should turn out that there is any real excess in any one of the Superannuation Funds there is a clause in the Bill which enables the Local Authority, with the

consent of the Secretary of State, to devote it to some other purpose. I hope I have not wearied the House, but having detained it so long I will not detain it any longer. I believe most hon. Members are agreed as to the principle of superannuation to the police who have rendered valuable service to the public; and, in conclusion, I will express the hope that the passing of the Bill will not be delayed — a hope in which I am strengthened by the fact that in this House there is a general wish that superannuation should become certain and assured, and not be merely a matter of precarious chance or favour. That superannuation ought to be fair and liberal; and I believe the House will agree that after what has taken place on this subject, after the different attempts that have been made to legislate upon it, we cannot too strongly deprecate further delay. I therefore ask the House to do quickly what is reasonable and just, and having said this I leave the Bill in its hands.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Henry Matthews.*)

(6.50.) SIR W. HARCOURT (Derby): In the concluding remarks of the right hon. Gentleman I desire to express my entire concurrence. I think that this Bill ought to be passed, and I also think it ought to be passed as quickly as possible. I certainly may be allowed to entertain this opinion, because, as the Memorandum which has been laid before the House by the right hon. Gentleman, states, there were produced during the five years I was at the Home Office, no less than four Superannuation Bills—a sufficient earnest of the desire which then existed to bring about a settlement of this question. I do not speak of those Bills as my own. Whatever merit may have attached to them belongs to two gentlemen far more capable of dealing with the subject than myself—I allude to my friend Mr. Hibbert, who was, at that time, Under Secretary, than whom no man possessed greater knowledge of the matter, nor more ability to deal with it, and my right hon. Friend the Member for Wolverhampton, who introduced the second Bill. But, Sir, I must ask the House to consider this circumstance, because it is one of great importance, namely, that all those Bills were founded on the investigations of the Select Committee of 1877, and, as this Memorial states, they were framed after communication with the Commissioner of the Metropolitan Police, and the Local Authorities of the boroughs and counties. Can the Government say of this Bill, as was said of all the other Bills, that it has been framed after communication with the Commissioner of Police, and the Local Authorities of the counties and boroughs? As is stated in this Report or Memorandum, those Bills failed. Why did they fail? It was not because they were unjust in their proposals or extravagant; not because they lacked the support of the Police Authorities; not because they did not have the assent of the Local Authorities, but because they were opposed in this House by the advocates of the relief of local taxation. I am specially desirous, in what I am about to say, to make no observation that may arouse Party or sectional feeling in this House. I am anxious to avoid that, and will employ no words that will in any way tend to produce such a result. I, therefore, merely say that the failure of those Bills was due to the opposition of the Party who favoured the relief of local taxation. The Government state in this Memorandum the reason why no Bills were introduced in the years 1882, 1883, 1884, and 1885, for the superannuation of the police, and why five years have elapsed without any attempt to settle this question. They say they have had a Superannuation Bill in preparation, but that its introduction has been delayed by the passing of the Local Government Act of 1888, which created a new financial authority in lieu of the old Police Authority for the counties. I can understand that reason and the argument founded upon it. They say the former Bills were produced after consultation with the Police and Local Authorities; that new Police and Local Authorities were instituted in 1888; and, therefore, it was not desirable that the whole of this question should be considered by the new Local Authorities. They say this for a very good reason, the validity of which I do not dispute; but I have to ask the Government this question, which I consider is a very important one, in reference to this Bill. The Memorandum

states that it has been thought desirable that the new authorities should have time to consider the subject, and to become familiar with the financial conditions of their localities before an approved superannuation scheme was presented. That is the reason why this Bill has been delayed during the last two years. I ask the attention of the right hon. Gentleman the Leader of the House to this question, because I regard it as one of great importance. You have delayed the Bill for two years, with the object of allowing the Local Authorities time to consider the question. What means have you taken to ascertain the opinion of the Local Authorities with reference to the financial condition of their localities and the whole bearing of this subject? For five years you hung up this question, because you said you were going to establish County Conncils. You have established County Councils, and two years have elapsed since their establishment. I ask the Government what are the results of the inquiry which, of course, they have instituted among the County Councils? Have you ascertained their opinions that you may lay before Parliament the justification or ground of this Bill? My right hon. Friends (Sir G. Trevelyan and Mr. H. H. Fowler) took the course of laying their schemes of superannuation before the Local Authorities in order to obtain their support. They laid them before the Commissioner of Police, and they secured his assent and support. And when they came to this House they were in a position to say that these Bills had been before the Commissioner of Police, who had approved them. The securing of the support of the Local Authorities, in my opinion, is the necessary preliminary and only foundation upon which you can have a satisfactory settlement. It is of no use having actuarial arguments, it is of no use demonstrating logically that the scheme is a good one. You want a practical scheme; you must have a scheme which has the assent of the people by whom it is to be worked. That is the basis upon which we proceeded, and that is the basis upon which I assume you have proceeded. How long has your Bill been under the consideration of the Local Authorities? That is a question you ought to answer to the House of Commons, which is asked to pass a Bill which is to be worked by the Local Authorities, and which will lay a heavy charge upon the localities. The Government put that in the fore-front of their Memorandum, as the reason why they delayed the Bill; and the one thing I missed in the long and able statement of the Secretary of State was the result of the consideration by the Local Authorities, which you have said, and properly said, ought to be the foundation of the Bill. My right hon. Friend the Secretary of State said certain figures had been sent down to the Local Authorities, and he hoped before the Bill passed through Committee that he would get replies. Surely, in two years the Local Authorities would have gone through all this matter, and the right hon. Gentleman would have obtained their approbation and support. You never thought of laying before the House a Bill of this kind without obtaining that assurance. We know perfectly well how difficult it is for the House of Commons to deal with matters of this kind unless it has the approbation and support of those who are acquainted with the details and working of the measure. The first question, therefore, which I have to ask the Government is whether the consultation they have had with the Local Authorities corresponds with that which we had five years ago? Having established the County Councils I take for granted your first proceeding was to enter upon this consultation, and let us know what has been the result of the consideration of the scheme by the Local Authorities. In the words of the Memorandum—

> "It was thought desirable that these new authorities should have time to consider the subject, and to become familiar with the financial conditions of the localities before the Superannuation Scheme could be presented."

That was a statesmanlike view of the subject, the one condition on which the matter could be properly dealt with. And now we want to know the results of that consultation. Now, Sir, we are in the dark on that subject. We have no assurance that the course previously promised has been performed in this instance. With reference to the metropolitan police, not a word shall escape me to create any difficulties, or to exasperate any difficulties that now

exist. This at least we know, that you are not in a position to state to the House of Commons that you have committed and obtained the assent or support on this question of the police, or of the Commissioner of Police. I put it no higher than that. With reference to the late Commissioner of Police, we know you did not agree. With reference to the present Commissioner of Police, of course, there has not been time nor material on which he or anybody else could form a judgment that could be relied on. It is of no use to say that this is a good scheme, that it is absolutely defensible, and that it is a scheme the abstract principle of which you can recommend. You must have a scheme which the parties interested in the administration of it are willing to accept. What assurance are the Government prepared to give us upon that point? We were able in 1882–3–4–5 to say that the Bills presented were accepted by the parties whom they affected. Are you able to say that this is a Bill which is accepted, and which will settle the question? Because it is of no use this House of Commons accepting the abstract principles of a Bill which will not settle the question. You will be in a worse position than you were before. The Secretary of State quoted various authorities to reinforce this Bill, whom I am bound to say that I respect, and am prepared on general principles to follow. But then that does not settle the question at all. A Bill that might have settled the question in 1885 does not necessarily settle the question in 1890. You talk of the Committee of 1877. The information of that Committee was very valuable on one point, incidentally and parenthetically to which I may refer the Secretary of State. I was rather surprised to hear him speak of Dr. Farr's opinion as regards the figures of 1862, and say that Dr. Farr had founded his calculations upon the experience of what took place before there were any pensions. Why, it was quite plain that men of various ages would remain much longer in the Force that had a pension than would remain in the Force where there was no pension. A more foolish calculation I never heard of than that of a man calculating for a pensioned Force on the basis of the figures of a Force that had no pensions. You might as well calculate your fire policies by the experience of a town built of wood, and apply the calculation to the circumstances of a town built of stone. The things are not commensurate. Therefore, I cannot understand that part of the argument. But that is quite parenthetical. To put it on general and more important grounds: It is nothing to show us the evidence of 1877, or the Bills of 1882-3-4-5. What you have got to satisfy us about—and you are the only people to satisfy us—is whether your scheme will meet with acceptance. Of course, Sir, I am in favour of the Second Reading of this Bill, and will support it. I desire that the House will address itself to the consideration of this question at the earliest possible moment, and dispose of it as quickly as it can. As far as I am concerned, I will assist in that. Well, now I observe on the Paper a proposal by the Government to refer the Bill to a Committee. I urge them to re-consider that proposition. I do not find any fault with the proposal that has been made. I know it has been suggested in various parts of the House that my right hon. Friend the Member for Wolverhampton spoke of a Select Committee, but he spoke of it, not as compared with the Grand Committee, but as compared with a General Committee of the Whole House. What advantage will you gain by sending this Bill to a Select Committee? I can see none at all. It will take evidence, as did the Committee in 1877. If it does, you will not legislate this year. What evidence has it to take? Is it going to call before it representatives of the Police Force, and representatives of the police in the provinces? I confess I do not think that would be an expedient course. Is it to call before it representatives of the Local Authorities in different parts of the country? You have not the time to do that. If I were a Member of that Committee, I should not know what to do. All that you can gain as regards general principles of action, apart from questions of detail, you have already. You have it in the evidence taken by the Committee in 1877. You have it in the considerations of the Bills of 1882-3-4-5. What we want now is some information as to the existing state of things, in order to see

that the Bill is appropriate to that state of things. The Government alone have that information. The Committee would divide the responsibility with the Government as to the proposals that are to be made. I am not prepared to divide the responsibility. They alone know what Bill will satisfactorily settle this question in the provinces and elsewhere. The right hon. Gentleman has discussed this question of the Metropolitan Pension List with the late Commissioner of the Police. Well, they unfortunately differed. But the Secretary of State had the knowledge, if we had not, of the feelings of the Police; and he argued in a controversial spirit upon the Memorandum of Mr. Monro on this subject. He may have been right; the Secretary of State may have been right, as to what would be a satisfactory settlement of this question. But the Government is the only authority that can tell the House what plan will satisfy the Force. Of course, a Committee of this House might say, We will ascertain for ourselves; we will not take it from the Government. We will send for the representatives of the Police, and hear their case. I deprecate such a course. I think it is not safe for this House, either in Committee or elsewhere, to undertake to manage the police. They can only do it through the Government. Therefore, the Government must be absolutely, completely, and finally responsible for proposing and carrying through this House a measure which will reasonably and satisfactorily settle this question. I cannot assume—I do not assume necessarily—that the circumstances which were favourable in 1885 are equally favourable now. It may be so, or it may not. Your scheme actuarially may be just the same, but the circumstances by which you are surrounded may be exceedingly difficult. As regards the metropolitan police, I do not see that the House by Committee can enter into the question. I cannot form an opinion; I have no material on which to form one. Up to 1885 I knew all the facts, but since that year I have not had the information, and I feel absolutely unable to form an opinion as to what are the conditions of a satisfactory settlement. So much for the metropolitan police. And, with regard to the provincial police, it is exactly the same thing. In my opinion, you cannot have different terms for the metropolitan and provincial police. I have received a communication from the police in my own town of Derby, in which they naturally express the desire to have as good terms as anybody else. You will find that will be the feeling of Police Forces throughout the country. In considering this question we have to look at the circumstances of the labour market, to the demands of other classes, and to all the circumstances surrounding the subject; and I am bound to say that I am absolutely unable, in the absence of information, to form an opinion of what would be a proper settlement of the question. I am very willing to receive information and instruction from the Government as to the circumstances of the time with which we have to deal. I want to know what measures the Government have taken to learn the conditions and the wishes of the Police Forces in London and the provinces, and what consultations they have had with the Local Authorities throughout the country. These are the things which should govern us in dealing with the principles of this Bill. As to the Second Reading, and as to the question whether there ought to be superannuation, I think the Bill ought to be passed as rapidly as possible for the benefit of the metropolitan and provincial police. Of that I have no doubt whatever, and I heartily support the Second Reading.

(7.25.) MR. BURDETT-COUTTS (Westminster): I congratulate Her Majesty's Government on bringing forward this Bill.

SIR W. HARCOURT: Will the hon. Member allow me to correct an omission? In deprecating a Committee I spoke only of the present Bill, and not of the Scotch Bill, which stands on a different footing, because it introduces a new system in Scotland, and one that has not been inquired into before.

MR. BURDETT-COUTTS: I was about to say that I congratulate the Government on bringing forward this Bill, and upon their determination to pass it into law. It is a tardy recognition of the claims of an important and deserving body of men, claims which have been constantly set forth and as

constantly deferred, at the cost of dissatisfaction among the police. The police have certainly not in any way been disloyal. If dissatisfied, they have not allowed the neglect of Parliament to interfere with the performance of their duty to the public. Something has been said with regard to a promise made by the right hon. Gentleman the Member for Derby some nine years ago. It was at a meeting in connection with the Police Orphanage. I happened to be present. I do not remember the exact words of the promise, but I recollect that they caused visible manifestations of satisfaction, and elicited ringing cheers. During the four or five years following Bills were brought forward, but none passed this House. I am sorry this question was not settled then, or, at any rate, before now, because I believe the long delay has led to grave and new demands upon the public purse. I think it is necessary that there should be a certain continuity in the treatment of the police, and that what has been justly and reasonably done by one Home Secretary should be continued by his successor. I venture to notice that so far as harmony and mutual good understanding are concerned, this continuity of relations between the Home Office and Scotland Yard has not been entirely preserved since the right hon. Gentleman took office, as is evidenced by the retirement of two Chief Commissioners, after holding their appointments for an unusually short space of time, and as is evidenced by the dissatisfaction and disaffection which, I think, any one at all conversant with the views of the police will allow now prevails in the country. But I recognise that the right hon. Gentleman the Home Secretary, in bringing forward this Bill, has taken up the thread of the unfulfilled promise of the right hon. Gentleman opposite, and I submit that the present measure should be so framed as to really fulfil that promise, and place the police in an infinitely better position as regards pensions than they were in before it was made.

(7.31.) SIR W. HARCOURT: The hon. Member has spoken of the promise I made, and has said that it was unfulfilled. I would point out to the hon. Member that I regarded my promise as fulfilled by the introduction of the Bill.

(7.31.) MR. BURDETT-COUTTS: But the Bill was not passed, notwithstanding that the right hon. Gentleman's Party had a majority. It is true the right hon. Gentleman was not in the position of leader of the Party to which he belonged; but I must say I think if he had been ardently in favour of a settlement of the question, he would have been able to pursuade the Party to pass the Bill.

MR. LABOUCHERE (Northampton): How about the Publicans' Compensation Bill?

MR. BURDETT-COUTTS: I cordially join with the right hon. Gentleman opposite in deprecating the proposal to send the Bill to a Select Committee, as it would undoubtedly delay the Bill at least until next Session. Moreover, a Committee is not wanted, as there is already plenty of evidence on the subject before the House. We have the exhaustive Reports of the Committees of 1875 and 1877; we have had various discussions on the subject; we have the Returns on Police Superannuation, and the Report of the Committee on the City Police Bill in July last year, and if this is not enough—which it surely is—there was, I believe, a Departmental Committee last year, which took a mass of evidence on the subject, and broke up without a Report. I should like very much to see that evidence, and, later on, if I am in order, I will move for it. I believe it will throw a great deal of light on the nature and justice of the claims of the police. Surely the better course would be to leave the Bill to a Grand Committee, by means of which it could be got through and reported to the House in a very short space of time. The chief claim I have to put forward on behalf of the police is that which the Home Secretary spent a long time in contesting, namely, the claim to a pension of two-thirds of their pay after 25 years' service, without condition of age or medical certificate. In making this claim I cannot but regret that the Metropolitan Police have not been dealt with in a separate Bill, considering the indisputable differences that exist between them and the Provincial Police. Such a course might have cleared the Bill of the awkward and confusing feature of maximum and minimum limits, and have made the whole thing very much clearer and have

been much simpler from all points of view. It is quite true that the Home Secretary has expressed his determination, and given us an assurance, that the age limit will not be applied in the case of the Metropolitan Police, and that the maximum scale will always be taken; but I say that the long delay in making that announcement has already led to agitation amongst the police; and the fact that there is nothing in the Bill to bind future Home Secretaries will lead to further dissatisfaction amongst the police, because it will leave them uncertain on these two very important points. One great point in favour of a two-thirds pension is that it represents an improvement on the previous scale. I have started with the assurance that whether it was promised in so many words or not, the police gathered from the statement of the right hon. Gentleman opposite an assurance that their position with regard to pensions would be improved. It is quite true that the Bill gives an absolute right to pensions to the police; but they had that right by custom before, and no sane man will argue that that would ever be taken from them. The Bill gives pensions for between 15 and 25 years' service on the scale of fiftieths, but that the police had before. This was the point, so far as pensions were concerned, on which Mr. Monro resigned. He has stated publicly that in their draft Bill the Government reduced the pensions for between 15 and 20 years' service to the scale of sixtieths of the pay, but this has been improved in the Bill now before us in favour of the police. I believe the draft Bill also contained this very thing I am asking for, namely, a pension of two-thirds of the pay after 25 years' service. But I suppose the right hon. Gentleman has not been able to obtain the consent of his colleagues to that. To my mind, it is the *crux* of the whole Bill; and if we can persuade the House or the Committee to grant that very slight additional boon it will be placing only a small burden on the ratepayer, and will be satisfying the desires of the Force. It is true that the medical certificate has been taken out of this Bill, after 25 years, but that is no very great gain, because the police know full well that in the opinion of the authorities this medical certificate is a pernicious system, that it encourages malingering and induces men to build up a "sick record." So there is very little gain for the police in this Bill unless we give them what they ardently desire, the two-thirds pension after 25 years' service. Considering the small number of policemen who ever reach 25 years' service, it is surely a very small thing to ask for, and it will be the smallest possible burden upon the ratepayers, but it will be some gain for the police. I need not enlarge on the importance of the duties of the police and the admirable way in which they perform them. They have charge of the capital of a great Empire, a city covering 700 square miles and of 5,000,000 of population, and are responsible for the safety, security, and contentment of that great population. They, moreover, have to regulate the traffic which is a very difficult and very vexatious duty, through thousands of miles of streets, and this they do as admirably as the condition of the streets will allow. They have to deal with a vast mass of crime which requires not only constant attention and watchfulness, but also great courage and determination. The increased use of deadly weapons by a certain class of criminals of late years has brought out the courage of the police in brilliant colours, and in legislating for them we must not forget the dangers to which all members of the Force are at some time or other liable. We must certainly remember these things in fixing the reward we offer. There is one point which has been mentioned this evening upon which I wish to lay particular stress, with regard to the amount of this pension after 25 years' service. It points clearly to the difference between the claims of the police and the claims of other classes of public servants with whom they may be compared. It is contained in the evidence given by Sir James Fraser last year on the City Police Bill. He said—

> "The fact is, that after a man has served 25 years in the streets he is fit for very little work afterwards. It takes it out of him tremendously. I think that is the opinion of almost every head of the Police Force in the country. If you get 25 years work out of a man you get as much as you are ever likely to get of useful work."

He was further asked—

"Do you consider that the wear and tear of a constable in the crowded thoroughfares of London is greater than that of a constable in a rural district or in a small country town?"

He answered—

"I have no doubt of it; in fact, the climate of London is against a man, and the constant tramp, day and night."

If that is the case in the City, where there is hardly any crime or disorder, and few of those processions and meetings which have become chronic in the West of London, how much stronger is the case of the Metropolitan Police! A conclusive answer to the argument that the Metropolitan Police ought not to have two-thirds pension because the City Police had only two-fifths is to be found in a comparison of the pay of the two forces. The Metropolitan Police receive as first, second, or third-class constables respectively 2s. 1d., 1s. 6d., and 1s. 5d. per week less pay than the City Police. Surely, Sir, if we are not going to raise the pay of the Metropolitan Police this is a strong argument in making it up to them in some slight degree by way of pension. I do not say that I should be opposed to raising their pay—far from it. But we must take things as they are, and if they are worse paid than the City Police they deserve to be better pensioned. I submit then, Sir, that this claim for a two-thirds pension is a fair and just one, on account of the reasons stated. I cannot but think that if we owe the police much on account of the important duties they perform, and of the manner in which they perform them, and of the delay which has attended this question, we owe them something also on account of the retirement of their late Chief Commissioner. I will make clear what I mean. I know that every member of the force is possessed with the conviction that Mr. Monro was sacrificed for insistence upon demands on their behalf, which I think will, upon examination, be found to be just, and many of which are granted in this very Bill. Mr. Monro was a man whom they respected as a disciplinarian, whom they trusted as a representative, and whom, as a friend and commander, they held in most affectionate esteem. They regard him as one who has fought for them and fallen for them. Several of the points for which he held out, such as the appointment of Mr. Howard as Assistant Commissioner—his desire for which appointment led to his resignation—and the question of the clothing contract, have been conceded. I do not wish to lay undue stress on these points; but I do say that some of the chief grounds on which Mr. Monro resigned have been granted in this Bill now before the House, and that fact cannot fail to make some impression upon the minds of the police. I should like, whatever they may think about Mr. Monro's retirement, to be assured that this House is going to treat them in a liberal spirit. I should like also to be assured in the future that the relations between the Home Office and Scotland Yard may be carried on in a somewhat more considerate and conciliatory manner. I should like to be assured that the police will always look upon every Home Secretary as one to whom, when they have just grievances to be redressed, they can turn with confidence to redress them, and to whom, when they have a just claim to put forward, they can look to do his utmost to satisfy those claims. I would earnestly press on the House to allow the police this two-thirds pension. The addition to the cost will be very slight, but the matter is one of great importance. I think the police have made more of the point than it is worth; but, at any rate, it is a matter on which they feel very strongly. I would earnestly appeal to the House not to delay the Bill by submitting it to a Select Committee.

*7.40.) SIR J. GOLDSMID (St. Pancras, S.): I have only two or three words to say on matters which I think the hon. Member who has just sat down has not mentioned. I found, on calling on a number of the officers and men, that they felt as I feel, that the question of their pensions should depend on the question of their pay. I believe that they would not stand out for the two-thirds pension if their claim for increased pay was duly and thoroughly considered. I cannot help remarking that the constables of the Metropolitan Police must feel in a somewhat disgusted frame of mind when they notice that in every class of the Service the City policeman is paid on a higher scale than the scale on which they themselves are paid, and all

the more so when the fact is remembered to which the hon. Gentleman has just referred, namely, that the Metropolitan Police have more arduous duties to perform, and often have to serve for longer hours than the City Police. If, as I think it can, a case can be made out for increasing the pay of the Metropolitan Police, I cannot help believing the men would be satisfied with the scale proposed by the right hon. Gentleman, for it would then be on all fours with the examples he quoted. So far as I can find out, that feeling is general throughout the country, and the matter is one which will have to be considered by the Select Committee, if the Bill is referred to a Committee. I find also that the men have some feeling as to the time at which the pension, after 25 years' service, should begin to run. The practice has hitherto been not to give a pension—unless a man is invalided or certified by the medical officer to be unfit for service—until the age of 60 is reached, no matter the age at which the man enlisted. Now, it is admitted on all hands that 60 years is an absurd age at which to fix the limit, and that, therefore, another plan should be adopted. The plan suggested is that 25 years' service should be the limit; but the Metropolitan Police say that the pension ought to date from the entry into the Service, and not from the age of 21. That point could easily be met by providing that no man should be recruited before the age of 21. That would be a provision that many would support; but even if the House adopted it, it could only be applied to future cases. It is admitted on all sides that a case has been made out for liberal superannuation treatment to the police, and that that treatment should, to a great extent, depend on the amount of pay given to the men. I believe the police and the ratepayers would rather see an increase made in the pay and the rate of pensions the right hon. Gentleman proposes adopted than that there should be no change in the pay and the higher rate of superannuation that the men are themselves demanding. I do not think the Members who know what the duties of the Metropolitan Police are can for a moment imagine that the work of the country policeman is as hard and arduous as the work of the London policeman, and it is for that reason that in London the highest scale of pension should be given. But I do not think we should leave this question of the comparative treatment of the Metropolitan and Provincial Police to the promise of the right hon. Gentleman. I trust that the right hon. Gentleman or the Under Secretary will undertake to insert a clause in the Bill to make the matter thoroughly clear.

(7.57.) SIR H. SELWIN-IBBETSON (Essex, Epping): I do not propose to go into the question of whether the late Chief Commissioner was justified in his attitude. On the contrary; but I should like to say a few words on the earnest desire I have that at last a solution of this question should be arrived at. I have taken some interest in the question, as the House knows, for many years. I myself, as late as 1887, had a Bill before the House for the superannuation of the police, but the Government asked me to withdraw it in view of the measure they themselves had promised. I mention this, as it shows that the question has been considered at a later date than has been suggested. I think the time has come now when the whole House must concur in the attempt to settle the question which affects so large a body of men who have so much to do with the happiness and history of this country. I believe we have now sufficient information as to the wants of the police and the opinions of the localities on this subject. At all events, I am sure we have quite as much of the opinions of the localities before us as we ever had. I cannot say I remember that such representations came very generally from the localities. I can say for my own locality that no such representations were solicited. I do not, however, attach much importance to that, because from the time of the Report of the Committee down to the present we have had opinions expressed by the localities as to the necessity of some measure of the kind. The question has been raised whether a difference should be made as between the Police Force of the Metropolis and the Police Force generally throughout the country. I venture to say I do not think there ought to be any difference as between superannuation in one district and another. Practically, the superannuation would be governed by the rate of

pay in the different Forces ; and the rate of pay in the Metropolis, being in excess of the pay in other districts, would produce a scale of pension which must be in excess of pensions elsewhere. It is very important that policemen should be able to demand a pension at a fixed period of service. If a fair pension were insured to a policeman at a time when he became practically unfit to perform the work for which he had been enlisted, you would do much to bring into the Force a better class of men, because the pension is a consideration in addition to his wages which he could not obtain in other services. I attach great importance to giving fixity of tenure, if I may so call it, in the matter of pensions to men of the different Forces throughout the country. When this Bill comes to be considered afterwards, I hope it may be amended in some particulars, which I think are of importance. I confess, myself, I believe the two-thirds scale of pension is one which the police have a fair right to demand. I believe that scale will not practically press unfairly on the ratepayers, because I believe they will get an equivalent in good men and good service for it, and I am sure its adoption will be a settlement of the question which will satisfy the different Police Forces throughout the country and will keep in those Forces the men whom we should be very anxious to retain in the Service. I would remind the House that a policeman is a very expensive article to form, and, therefore, you should do your best to keep him in the Force. A large sum of money is expended on the training of a policeman, and unless he is induced to remain in the Force that money is thrown away. These points, I think, should induce us not to be niggardly now that we are trying to settle a question which has been left unsettled far too long. There are other points which, I think, when the Bill reaches Committee may be fairly considered. I confess I do not like the attempt made in the Bill to allow localities to fix the scale. I should prefer that there should be a maximum and a minimum, between which the localities might elect to pension men themselves, and that would give an opportunity to the localities of discriminating between men who had faults which were not sufficiently serious to lead to their discharge, but which rendered them less efficient servants than some of their colleagues, and men, as it were, with a clean bill of health. I think, however, with that exception, that the scales of pay should be uniform throughout the country. The question of the form of the Committee to which the Bill shall be referred has been mooted. There are advantages in favour of its being sent to a Standing Committee, and I strongly deprecate its being sent to a Select Committee, as that would practically result in its being hung up until next Session. I hope that this attempt on the part of the Government, following on the numerous attempts that have been made to satisfy a legitimate want of the Forces throughout the country, will result in the House putting aside Party feeling on the subject and uniting to pass much-needed reforms. (8.8.)

*(8.40.) MR. PICKERSGILL (Bethnal Green, S.W.) : I understand some of my hon. Friends, who sit on this side of the House, intend to vote against the Second Reading of this Bill, because they are opposed to the principle of superannuation, but, for myself, I do not think, on the present occasion at all events, that superannuation is an open question. Committee after Committee of this House have reported in favour of giving superannuation allowances to public servants, and the case for the police is a particularly strong one. In the first place, because the system is actually in existence, and, in the second place, Administration after Administration has publicly pledged itself by legislative action to sanction, to consolidate, to methodise that system. The principle, then, I regard as settled, but, at the same time, I think it would be difficult perhaps to exaggerate the gravity of the issue this Bill raises, because, practically, we have now before the House embodied in this Bill a system of pensions more extended and on a more liberal scale than exists at the present time in reference to any class of public servants. It is quite true that for the moment we are dealing only with the police, but it is impossible, I think, for any reasonable man to blind himself to the fact that we are setting up a new standard, and it may be that other classes of public servants in the country will

look to that standard as their own ultimate goal. Admitting, then, that experience has shown it is inexpedient for the State to throw on the world, unprovided for, its public servants after a number of years' service, at the same time I think it behoves the House, on the present occasion, very carefully to consider the scale of pensions proposed, and the relations between pay and pension, and particularly to determine whether it may not be better to increase the pay than to raise the scale of pensions, always bearing in mind two things; in the first place, that the chief burden of an inflated system of pensions will fall, not upon us, but upon those who come after us; and bearing also in mind that, from the very nature of the case, the chief advantage of pensions will accrue rather to the upper ranks of the Service than to the lower grades, with whom I confess my interest and sympathies are most concerned. I listened attentively to the speech delivered by the hon. Member for Westminster (Mr. Burdett-Coutts), and the bulk of that speech was occupied with an advocacy of the two-thirds as against the three-fifths system of the Government Bill. I venture to think the hon. Member attached too great weight to that particular point. I know that a Memorandum has been issued by the superintendents of the Metropolitan Police representing that as the *crux* of the whole situation, and if I may say so without offence the hon. Member for Westminster seems to have swallowed that Memorandum holus-bolus. Now, I wish to emphasise, and insist upon this as an essential point, that it is not in the interest of the rank and file of the Metropolitan Police—and I have reason to think the men are of the same opinion—to insist on an inflated scale of pensions, because the establishment of such a scale will prejudice their claims in respect to pay, claims they regard, and reasonably regard, as more important than the question of superannuation. By way of illustrating what I mean, I take the case of a first-class constable, he is neither at the top or the bottom of the scale, he is a member of the class in which, as I have said, I feel special interest. I consider the case of this first-class constable with reference to the particular issue which the hon. Member for Westminster seemed to regard as the whole case, as between a two-thirds and a three-fifths pension. The wage of a first-class constable is £1 10s. a week, and his pension, according to the Government plan of three-fifths, would be 18s., and if the scale were raised, as the hon. Member for Westminster desires, then the pension would be £1. But now suppose this Metropolitan constable of the first-class were put upon the same footing with the first-class in the City Police Force, and he has a just claim to be so treated, he would then, on the three-fifths scale—his pay being 32s. 3d—receive a pension of 19s. 4d., or only 8d. less than he would receive on the scale for which the hon. Member for Westminster contends. The conclusion I come to is, that it will be better that a constable should have 32s. pay and a three-fifths pension, than 30s. pay and a two-thirds pension, for his pension would be only eight-pence a week less in the first case, while he would receive 2s. a week more during the years of active service. This brings me to the contrast between the Bill and the Act passed last Session, in regard to which I took some part, for regulating pensions in the City Police. I venture to think the Memorandum the right hon. Gentleman has issued is rather misleading in what it states in the way of comparison between the two Forces. The Memorandum contains the statement that the scale of ordinary pensions on medical certificate is the same in the Bill with the scale of the City Police, but that statement is misleading for this reason: in the City Police the pension is reckoned on actual pay at the time of the pensioner's retirement; whereas by the Bill pensions will be reckoned upon the average pay for the previous three years. I do not wish to lay undue stress upon this, but the House will see at once there is a material advantage to the City policeman. There is something more to which I would call attention, which the Home Secretary has not mentioned in his Memorandum, which he did not allude to in his speech, and which may have escaped his notice altogether. The point is this: by the Bill, the grant of a gratuity before the completion of 15 years' service is a subject of discretion for the Police Authorities, but if the Home Secretary will refer to the Act we passed lsst year with

reference to the City Police, he will find it is provided that in the corresponding case in that Force the constable is *entitled* to a gratuity. Here, there are two points in which the City policeman has material advantages over the metropolitan policeman. Then, again, in the Metropolitan Force, a man's service before he is 21 years of age is not to count for pension, but there is no such limitation in the City Police.

MR. MATTHEWS: But he cannot retire until he is 50.

*MR. PICKERSGILL: I am perfectly correct in saying that service begins to count for pension in the City as soon as a man becomes a member of the Force, but, on the other hand, I was going to mention that in instituting the comparison you have to put in the other scale that the City constable is not entitled to retire on pension until he reaches the age of 50. Contrasting the two plans the City policeman has material advantages, and when we remember his better position as regards pay, I think a case has been made out for serious re-consideration by the right hon. Gentleman. I submit, in respect to remuneration, the Metropolitan Police are entitled to special consideration. I rather differ on this point from what was said by the right hon. Gentleman the Member for Derby (Sir W. Harcourt). If I followed him rightly he said if we give a high rate of pay to the Metropolitan Police then the police throughout the country will agitate for a similar rise. But I do not think such a claim would be well founded. In the first place no one can possibly deny that the duties of a metropolitan policeman are both more arduous and more dangerous than those of an average policeman in the country, but I do not rest my case so much on this particular aspect of the question; but, as everybody knows, the remuneration for labour in London is higher than that for corresponding labour in the country, and necessarily so, because the cost of living, and especially house rent, is very much higher in London. It is only reasonable that the Metropolitan Police should share in the advantage which labour generally in the Metropolis receives. Then I say that in respect to control the Metropolitan Police Force occupies an exceptional position. It is perfectly true that nominally the right hon. Gentleman opposite is the chief authority for the Metropolitan Force, but substantially and really this House is the authority for the Metropolitan Police, the House must recognise and cannot escape the responsibility. I noticed the right hon. Gentleman the Member for Derby said it would be a danger, at least, so I understood him, for this House to appoint a Committee to consider the case of the Metropolitan Police. Well, that may be so, but I think the danger is not so much in the mere appointment of a Committee; the danger is in allowing a system to continue which places this Force under the control of the House instead of it being, as other local forces are, under the control of representative Local Bodies, and, so long as that condition of things exists, the House must recognise its responsibility and act up to it. As regards the further stages of this Bill, I think the intention is to refer it to a Select Committee, but with what object is this course proposed? So far as I can see, it is useless to refer the Bill to a Select Committee except for the purpose of taking evidence. I should like the Home Secretary to tell us whether he does intend the Select Committee to take evidence or not; that is an important point upon which we have not, I think, up to the present time been enlightened. Looking at the matter from the point of view of a Metropolitan Member, I am in favour of the appointment of a Select Committee, because I want to give the rank and file of the Metropolitan Police the opportunity, which up to the present time they have not had, of fairly presenting their case. Unfortunately the metropolitan question is associated in this Bill with the general police question throughout the country, and the right hon. Gentleman the Member for Derby has urged with considerable force that if you appoint a Select Committee, Local Bodies in the country, and not only Local Bodies, but local police in the country will claim the same opportunity of giving evidence which you are *ex hypothesi* going to offer to the metropolitan police, and this, of course, will open the door for a good deal of delay. If you are going to have evidence offered on the scale indicated in the speech of the right hon. Member for Derby, then I am afraid this Bill will run the risk of being hung

up for another year, and a result of that kind is much to be deprecated. I would suggest to the right hon. Gentleman in this conjuncture that he has two alternatives. He might himself consider the case as regards pay and other matters affecting the rank and file of the Metropolilan Force, he might constitute himself a Committee, as it were, and give them a full opportunity of presenting their case, and that is the course I would very earnestly press him to take, but if he declines that responsibility, then, it seems to me, the only alternative is to put the responsibility upon a Committee. It is, in my opinion, important that the police should have the opportunity of presenting their case either to himself, and this I should prefer because he has executive control, or to a Select Committee, if he prefers that, and, in this way, the case of the country would be separated from the case of the Metropolis, and I think I have shown that the cases are wholly distinct. Of one thing I am certain, namely, that the right hon. Gentleman (Mr. Matthews) will not be relieved of the difficulty with regard to the Force by the mere settlement of the question of pensions, even if he were to give the two-thirds claimed after 25 years' service, which I myself should much deprecate. Having regard to the interests of the ratepayers, I do not think he ought to modify his Bill in that sense. One word with regard to a general provision of this Bill. By Clause 8 it is provided that when a pension has been granted it shall be forfeited in certain contingencies. In Committee on the Bill I shall propose to make a clean sweep of those cases in which it is proposed to forfeit a pension. The first instance of this is upon conviction for an indictable offence; but I object most strongly to attach the condition of forfeiture to a conviction. It is improper on all grounds, and it is particularly objectionable under present circumstances, because this Government has introduced, or perhaps I should say revived, the practice of employing the Criminal Law against its political opponents. Just consider, for a moment, how this clause might operate. Take a particular case. To take part in an unlawful meeting is an indictable offence. But some of the best and most public-spirited citizens of this country have been convicted of taking part in such a meeting. It is, therefore, preposterous to say that, during a time, perhaps, of political excitement, a person convicted of this offence shall lose the pension which he has earned by long years of service. Moreover, I have frequently noticed in criminal cases that conditions of forfeiture of this kind introduce a very disturbing element into the administration of justice. If a man is convicted of an indictable offence, let him be adequately punished; but it seems to me preposterous to take away from him that which his own past service has earned.

*(9.4.) MR. HOWARD VINCENT (Sheffield, Central): I desire to say only a very few words after the exceedingly lucid speech of my right hon. Friend the Home Secretary. I am glad to hear the determination which is expressed on both sides of the House, that the question shall be dealt with this Session. The Select Committee, presided over by my right hon. Friend the Member for Essex (Sir H. Selwin-Ibbetson) went into this question of Police Superannuation in 1877. It took a great deal of actuarial and other evidence from all parts of the country, and issued a very valuable and thorough Report. I heard, with great regret, the Leader of the House say yesterday that it was his intention again to refer the matter to a Select Committee. I regretted it not because of any doubt that the police would thoroughly substantiate their case, if necessary, before a Select Committee, but because there is very great danger, at this period of the Session, in referring a Bill of this importance to a Select Committee, as, from a variety of causes, it might be hung up to a distant future. I hope that some method may be devised of dealing with the question other than that suggested. It is incumbent on the House to fulfil the long-standing promises of successive Administrations to deal with this question. The police have waited for nearly 20 years for this subject to be dealt with. They have shown the greatest patience. They have not agitated violently, but have thought only of their public duty, and I think it behoves us to see that the Bill shall be passed into law during the present Session. With reference to the non-

counting of Service towards pension under 21 years of age, I would point out that there are exceedingly few policemen who join the service under this age. I have no doubt, however, that the services of a constable between 20 and 21 are more valuable to the public than between the age for example, of 49 to 50. It would be therefore exceedingly unfair not to allow this period to be counted in the policeman's service. Then as to the provision which provides that an officer shall not retire on the pay of his rank unless he has served in that rank for upwards of three years. I think when we reach the Committee stage I shall be able to bring forward conclusive evidence showing that such a provision will cause hardship. A provision of great importance in the Bill of 1885, omitted from the present measure, is that which enabled the Police Authority in counties and boroughs in calculating the pension of the Chief Officer of Police to add a certain number of years to his service not exceeding seven. Chief Constables are usually required by the terms of their appointment to have had military or other experience, and they usually join the Force between the ages of 35 and 40. If the authority be not empowered, therefore, to add a certain number of years towards the pension of the Chief Officer, he will be an old man before he is entitled to any pension at all. I am not going to mix up the questions of pay and pension. I think it most important in the interests of the police at large that they should be kept entirely distinct. It is the question of pension which the police throughout the entire country wish to see settled. Mention has been made of the important matter of two-thirds and three-fifths. The police are most anxious to have a two-thirds pension. Although it is not a very important question for the ratepayer, it is a question to which the police attach the greatest importance. The difference in the individual pension is, as the right hon. Gentleman admitted, exceedingly small—only £7 a year on a salary of £100, or, on the salary of a first-class constable, something less than 3½d. a day on his pension. I cannot quite follow the figures of my right hon. Friend. He said if the two-thirds were conceded by the Government it would mean an immediate difference of £45,000——

MR. MATTHEWS: No, not an immediate but an ultimate charge—many years hence.

*MR. HOWARD VINCENT: I think the immediate difference would only be something under £1,000. In 1889 there were only 329 men in the Metropolitan Police Force who had completed a service of 25 years, and there is the most conclusive evidence to show that this length of service in the Metropolis, including the City of London, according to the evidence of Sir James Fraser—whose retirement from the Force I am sure every Member of the House will regret—is the maximum which a constable can perform with efficiency. Mr. Bond, a man of great experience in dealing with police sickness, puts the maximum as low as 24 years. I am sure that in drawing up the Memorandum which has been forwarded to Members the superintendents had only the idea of furthering the interests of the Force at large, and I believe the opinions they express are the opinions of the great majority of the Force. The Superannuation Committee, which was formed many years ago to keep alive the question of superannuation of Constabulary Forces, has passed a resolution that it would be exceedingly desirable that instead of being called upon to adopt a fixed scale of pension, irrespective of merit, the Police Authorities throughout the country should be empowered to grant pensions between the maximum and minimum scale as a stimulus to good conduct, and the Committee is strongly of opinion that the limit of age should not be higher than 55 years. I am sorry that the Memorandum given to us by the right hon. Gentleman was not issued with the Bill, as it would have been of great advantage to the Metropolitan Members, and also to the police, who have found a great deal of difficulty in wading through the provisions of the Bill. I would point out that the metropolitan policeman, before he can obtain the maximum pension, has one year more to serve than he has to serve at present.

MR. MATTHEWS: That is a matter of detail.

*MR. HOWARD VINCENT: The Bill confers, however, very substantial

advantages in many ways, not only upon the Metropolitan Police, but upon the Constabulary at large. I hope that, if possible, the Government will consider this little matter of two-thirds. I believe the Bill is a conscientious attempt to do what can be fairly done for the police. The only matter I regret is that, in his conscientious desire to obtain the best terms for his subordinates, my friend Mr. Monro has resigned, and I only hope that the Public Service will not be long deprived of the services of so able, zealous, and conscientious an administrator.

(9.19.) MR. ATHERLEY-JONES (Durham, N.W.): Anyone who has heard the right hon. Gentleman explain the Bill must be convinced that he has bestowed great pains in rendering it comprehensible to Members of the House; but, at the same time, a measure of such complexity and magnitude is extremely difficult to be dealt with in a Second Reading Debate. I am bound to say that from the most careful study I have been able to give to the Bill I have been obliged to come to the conclusion that it is a very great departure from the lines of the Bill introduced in 1885 by my right hon. Friend the Member for Wolverhampton (Mr. H. H. Fowler.) The measure proposes to provide for the Police Force of this country on a scale of liberality of which I cannot help thinking the right hon. Gentleman himself must be somewhat ashamed. His observations throughout his speech were in the direction of deprecating any hostility to the measure on the ground that it was too liberal. I am not one of those Members who are in the habit of making wild and wholesale accusations against the Police Force of the Metropolis. I recognise the value of the Force and the competence of its members; but I am at a loss to understand upon what principle a different scale of pensions should be conceded to one branch of the Civil Service to that which is conceded to other branches thereof. I know no precedent which equals or at all approaches the lavishness of the scale of compensation it is now proposed to award to the Police Force. At present a member of the Force is not entitled to any compensation, unless he retires through ill-health or injury sustained in the Service, until he has reached the age of 60. The Bill of the right hon. Member for Wolverhampton (Mr. H. H. Fowler) proposed to alter that scale and to award compensation to a policeman who had reached the age of 55. The proposed scale would fix upon the Metropolis, and the various sources from which the pensions are to be drawn, a burden of between £200,000 and £300,000 per annum. That is an immense increase upon the amount which obtained a few years ago. On the basis of the new scale a sergeant receiving £100 per annum will, when he reaches the age of 45 or 46, be entitled to a pension of no less than nearly £70 a year. In other branches of the Civil Service, which perform as arduous duties as the police, a man who has served for 30 years at £100 a year is entitled to a pension of between £50 and £60. I want to know, on what principle of justice or consistency can this difference of treatment be justified? Further, a policeman is paid very high wages compared with other branches of industry throughout the country. The best test is this—are you able to get a sufficient number of proper candidates for the Service? I have the authority of the late Commissioner of Police for saying that there is not the smallest difficulty in getting recruits for the Service at the present time. We are now face to face with a very serious agitation for an increase of wages in the Police Force—an agitation which certainly is founded on no just cause. What I altogether protest against is that such a heavy burden should be laid on the already heavily burdened ratepayers of the country as the outrageously large pensions that are now suggested. A man 46 years of age is still competent to earn his livelihood; yet a police sergeant will be able to retire with an income of something like £70 at 45 or 46 years of age. We have been told by the right hon. Gentleman (Mr. Matthews) that pensioned policemen are able to get situations. I find that the number of retired police officers who are in indigent circumstances, after having served for any reasonable number of years in the Police Force, is perfectly inappreciable, and I cannot understand why a police sergeant in the prime of life should be

awarded a pension of such an extravagant amount as that proposed in the Bill. If I am the only Member, and I hope I am not, who is found resisting the passage of this measure, I shall do so. I very much regret that Radical Members —I think it is an unhappy effect of giving the franchise to the police— should come forward and champion this gross and excessive expenditure. I will only say, in conclusion, that if we are to have this excessive scale of pensions do not let it be confined to the London Police. It might equally be extended to other branches of the Civil Service. I am sure I shall have the sympathy of my hon. Friend the Member for Lanarkshire when I say that the scale, with equal show of reason, could be applied to the dock labourers. For these reasons I shall resist this Bill, and I do hope that I am not the only Provincial Member who will do so.

*(9.31.) THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART-WORTLEY, Hallam, Sheffield): The hon. Member who has just sat down has said that he recognised no difference between one class of public servants and another. Has he reflected on the peculiar nature of the duties of the police, who are subject to long-continued exposure, to cold, to the night air, to physical fatigue, and to personal danger—all of which renders a policeman after 25 years' service of very little use for the purposes of police duty? These considerations, I hope, will dispose of the argument that this Bill ought to be resisted because it gives a higher scale of pensions to the police than to the Civil servants. The right hon. Gentleman the Member for Derby asked certain questions of the Government as to what consultations have been made with the localities with regard to this Bill. It seemed to me that the right hon. Gentleman entirely over-stated both his own practice in introducing his own Bills, and the statements of my right hon. Friend in the Memorandum. I do not believe that the right hon. Gentlemen opposite, in presenting their Bills, had anything like the general concurrence of the Local Authorities. It is true the Memorandum states that certain communications did pass, and, indeed, the Bill itself was a communication to the Local Authorities. I believe I am safe in saying that there is no evidence at the Home Office that there was anything like a general consent of the Local Authorities on the introduction of these Bills. I was in the House when they were introduced, and opposition was offered to them by the Representatives of the ratepayers in all parts of the House. The evidence, therefore, was that the Bills had not received the general concurrence of the Local Authorities. In the present instance, we conceived that to have invited discussions from the Local Authorities would have been to cause delay such as would be experienced were this Bill referred to a Select Committee. It is contended that we should have had separate Bills for the Metropolis and Provinces. It may be that there is a difference between the circumstances of the two, but anyone who knows what the Parliamentary necessities are will agree that it would have been bad tactics to introduce separate Bills. As to the argument of the hon. Baronet the Member for Sussex that there should be a discretion vested in the Local Authority to vary the scale of pensions as between individual members of the Force, we do not consider that the Local Authority should have that power. The hon. Member for Sheffield, in advancing his views, represented not the whole of the Police Force down to the lowest rank, but only the chief officers, who, I suspect, spoke in the interests of discipline. These officers wished to have control over the amount of the pensions in order to use them as a means of enforcing discipline. We have rejected these views, believing that there should be one scale of pensions applicable to the entire Force; though where a constable is guilty of misconduct, in that case it should be in the discretion of the Local Authority to reduce the pension. As regards the service below 21 years of age, by a sub-section of Clause 29 of the Bill, any existing constable will be entitled to count for the purposes of pension years of service before the age of 21 years. As regards future constables, provision could be made against enlistment before the age of 21 years. The average age of enlistment at the present time is somewhere about 22 years. As regards the two-thirds pension — the

maximum amount—it is true that the officers and members of the Metropolitan Force do consider that they ought to reach their maximum after 25 years' service. I submit that that is a point to be argued in Committee, and not upon the Second Reading. My hon. Friend the Member for the Abbey Division of Westminster asked whether the Select Committee would be allowed to see the information gathered by the Departmental Committee. I believe it will not be long before that information is in the hands of Members. The hon. Member for Bethnal Green complained that this Bill contained provisions as to the forfeiture of pensions. There is much to be said in favour of the principle that misconduct during active service should be punished at once and for all, and that it should not be complicated by considerations of the future withdrawals of pensions. Different considerations, however, apply to the case of misconduct after the grant of pensions. Some hon. Members have insisted upon mixing up the scale of pensions with the demand for increased pay. Some hon. Members have gone so far as to say that the present force would prefer an immediate increase of pay and not an increase of pensions. Constables who now receive 24s., 27s., and 30s. a week, I believe, demand 27s., 30s., and 35s. a week, with corresponding increases among the upper ranks. From such calculations as I have been able to obtain, that would entail an immediate additional burden of £130,000 a year on the ratepayers, and an ultimate increase, when the system of promotion, with accompanying higher pay, has reached its full effect, would mean an increase on the rate per £ of no less than 1½d., and that increase would be exclusive of the consequent increase of the future pension charge. I mention these figures in order, as I hope, to steady opinion in this House. Let me say one word on the Committee to which the Bill is to be taken. Here I cannot help remarking that it is well that the right hon. Gentleman the Member for Derby concluded his speech by saying that he wished this Bill to pass the Second Reading, because I noticed that what else he did say about the Bill was in favour of doubts, of hesitation and delay. I was glad to hear his declaration that he does not agree with the demand made yesterday by the right hon Gentleman the Member for Wolverhampton, that the Bill should be referred to a Select Committee. It was only in response to that demand, very strenuously but very recklessly put forward, that it should be referred to a Select Committee that the formal Motion for so referring it was put down in the name of the Home Secretary. I am glad to find that there seems to prevail to-night a general opinion that the demand was hastily made last night, and that, on greater reflection, it need not be treated as being an essential condition of the acceptance of this Bill. I trust that the support this measure has received from both sides of the House this evening may be taken as evidence that the Bill, which accords to the police a moderate provision after a full length of service, is a measure which will do substantial justice as between the members of the Police Force on the one hand, and the purists in matters of economy on the other, and in that spirit I trust it will receive the general acceptance of the House.

*MR. STOREY: I have placed a notice on the Paper of an Amendment directed against the principle of this Bill. I intended to have moved this Amendment as soon as I could obtain an opportunity after the Home Secretary had sat down, but the right hon. Gentleman the Member for Derby who is practically the author of the main features of this Bill, was extremely desirous that he should be allowed to make his observations immediately after those of the Home Secretary, and in deference to his views I gave way and left the House. I am now, however, extremely desirous of having the opportunity of directing the attention of the House, not to the enormous amount of petty details which have disfigured the speeches of the right hon. Gentleman on the opposite Benches, but to the essential principle which underlies this Bill, a principle against which I must now, as ever, express my extreme dissent. Now, Sir, the Amendment I have put upon the Paper is as follows, namely :—

"To leave out all the words after the word 'That,' in order to insert the words 'this House is of opinion that the superannuation of the police is altogether a matter for the Local

Authorities, and that the only sound principle on which to carry out a scheme is to pay the men adequate wages so as to enable them, by means of existing benefit societies or of a fund administered and controlled by themselves, to make suitable provision for their own future.'"

I am well aware, of course, that in moving an Amendment containing principles of utter antagonism to the main principles of this Bill, I necessarily labour under a grievous disadvantage from the fact that the occupants of the two front Benches have laid their heads together and agreed to adopt a particular course. Under such circumstances, an independent Member like myself has no possible chance of securing the support of the House; but it has always been the custom of the House on such occasions to permit a man having the courage of his convictions to state with brevity the grounds on which he holds them, and, for my part, I will endeavour to repay the House for this consideration by being as brief as possible in the observations I have to make. It must be apparent to the Home Secretary that the extreme difficulty of discussing this Bill lies in the fact that we are dealing with the subject from entirely different positions. On the one hand, we have the Metropolitan Police, who are the undoubted servants of Parliament and the country, and who are managed by this House and the Home Secretary. On the other hand, we have the great body of County and Borough Police who are not the direct servants of this House, but the servants of the Municipal Authorities. This being so, it must be understood that in what I am about to say I cannot deal with the London police and the country police on the same level. It must be evident to any one that if the London police are under the control of this House and the Home Secretary it is the duty of the House to make such provision for their pay and superannuation as the House may think fit. But the point I desire to put is this, that with regard to the great body of the country police they are not, and never have been, the direct servants of the State, and the great objection I make to the proposal of the Government, so far as it relates to them, is that now, for the first time in the history of this question of superannuation, we are to make an entirely new departure. I have no doubt that even the Home Secretary fully realises this fact. This question of superannuation is a serious one to the country. Heretofore superannuation has almost entirely been confined to the direct servants of the country.

*MR. MATTHEWS: Superannuation of the police has existed for upwards of 50 years.

*MR. STOREY: I will come to the point by and bye. What I say is that there has been no direct superannuation of the police, which has been affirmed and compelled by this House. I admit that there has been superannuation by the local authorities of their own free will, and I say that if there is to be superannuation at all in the future, the rule should be as in the past, the superannuation should depend on the free will and good will of the local authorities of the country. Will the House permit me to ask them to realise what this new departure is? I suppose we are all aware of the enormous amount of money we are already called upon to pay for superannuation purposes in this Kingdom. I have lately been engaged in taking out an enormous sum of figures on this subject, but it is not necessary for my case to enter into any great amount of detail on the subject. I may, however, state that in the year 1837, upwards of fifty years ago, the total amount paid in pensions and superannuations by the people of this country was £5,287,000; twenty years lately, namely in 1857, the total amount payable for such purposes had decreased to £4,340,000, so that during the interval there had been a grateful fall of nearly a million sterling. But in 1877, after the lapse of another period of twenty years, the pension and superannuation list had risen to £5,148,000, while in 1887, ten years later, and only three years ago, this pension list had increased to £6,784,000 per annum. I ask the House to contemplate this fact. I have made a deduction from the return we get from India and other sources, and I assert that the net pension list of this country at the present moment, without taking into consideration the local pensions granted to the local police, amounts to the enormous total of nearly seven millions sterling per annum. Now it is estimated that a penny in the pound on the Income-Tax produces about two millions sterling, so that we are abso-

lutely paying something like a 3d. Income-Tax, in order to pension and superannuate persons who may have served the State. Some of them doubtless have served the State and others have not, but at any rate we have an enormous number of persons receiving this money, and doing no service whatever for the State. I submit that this is an extremely serious state of things. Still, hitherto these pensions have been paid to the direct servants of the State, and we have not advanced beyond that principle. Now let us examine what it is the right hon. Gentleman wants to do. He not only proposes to compel the payment of pensions to the Metropolitan Police who are in the service of the State, and against which I cannot on my own principle say anything, but he intends also to compel every county and borough authority throughout the country, whether they will or no, whether they think it right or wrong, to pay pensions and superannuations in due course to the members of other police establishments. Now these policemen are not the servants of the State, they are the servants of the municipalities, and therefore the right hon. Gentlemen and his Government with their usual revolutionary instincts—because Conservatives as they call themselves, they have during the four years they have been in power proved to be the most revolutionary Government I have ever seen—are going to advance a stage further, and affirm the principle that it is the right and duty of the State, not only to pension its direct servants, but also to compel the payment of pensions to the servants of the municipalities. How much further will they carry this principle? Does the Tory Government think that when they had once given effect to this principle it will rest there? There are men on this side of the House of very different temper to that of the right hon. gentlemen, and they will probably in the future propose measures which I know will receive strong objection and antagonism from hon. gentlemen opposite. Just as right hon. and hon. gentlemen on those Benches are often able, when we are opposing their measures, to produce from *Hansard* an authority from our front Bench confirming the views they take, so hon. Members who now sit behind me will be able in the future, when they propose their Socialistic legislation to say that the first Government who ever laid down the principle asserted on this proposal was the Tory Government of Lord Salisbury. How much further, I ask, would the Home Secretary like to carry this principle? He is a man of logic. Suppose he succeeds in pensioning the policemen in the municipalities, on what principle could he object to the pensioning of the elementary school teachers? We know that those ladies and gentlemen have asked for pensions, and the demand is one on which I, for one, do not agree. I think it is an entire mistake on their part, but supposing we say that they are not the direct servants of the State they will at once reply, "Neither are the policemen, but you have assented to the principle of pensioning them, and consequently you cannot refuse to pension us." I cannot understand on what principle the Conservative Party can affirm such a method of dealing with the public money. Surely that Party must have drifted a long way from its old moorings and floated into very strange waters. How, I ask, would the right hon. Gentleman object to a demand for pensions when made by the servants of the Post Office, and the Telegraph Departments. He is, of course, aware that large sections of those two branches of the public service are not entitled to pensions, although certain sections are, and that is a fact which would make it the more difficult for the right hon. Gentleman to refuse the general demand. These people are all the servants of the State, and yet they are not pensioned. Well, there is another class to whom I ask the right hon. Gentleman's attention. I suppose he thinks there is something special in the case of the police because their work is arduous and their calling dangerous. In fact, I quite agree with the words of the popular opera, "The policeman's lot is not a happy one," and I certainly don't object to their being adequately paid. In my part of the country you will not find a policeman who will deny that I have always been anxious to treat the police force most liberally, but I want the right hon. Gentleman to look at the case of the enormous army of sanitary officers now under the control of

the local authorities. What about their pensions? Why, in my own county, when raging fevers and filthier diseases have taken place, I have known the sanitary officers to wrap people up in blankets and carry them to the hospital, then return and fumigate the places at the risk of their lives. When these men have asked for pensions, as far as I am concerned, I have been compelled, on principle, to return the only answer I ever give to such appeals: "If you receive too little pay, say so, and we will pay you better, but whilst you are earning wages you must make provision for your old age." If policemen are to be pensioned, why not the enormous army of persons who are under the control of our sanitary authorities? If pensions are to be provided for those who are not servants of the State, what answer will be given when a demand is made that there shall be a complete system, under which every workman shall be guaranteed against the dangers of his calling and the weakness and poverty of old age? The Conservative Party will have no answer. It will live as the Conservative party of old Rome lived, by appealing to the cupidity of the working classes, and in the end a sad fate will overtake it. In opposition to this unfair, unworthy, and unjust principle, I lay down the principle that you should consider the whole circumstances of these men in a fair and generous spirit. If you choose to err, err on the side of extravagance, but in the name of all that is good in this country do not commit yourselves to this fatal principle. Pay your policemen well; put them in the position in which your shopkeepers and working men are; in the position I myself occupy. Give to your employés as adequate, as fair, as generous a salary as you can afford, and leave it to their common sense and their thrift to provide for themselves. I am appealing to the Conservative party, for in this matter I give up the Liberal Party and its leaders, but not the Radical Party, for there are many good Radicals who would be willing to agree with the Conservative position on this and many other points. Two years ago the Ministry was in favour of decentralisation, and yet now, instead of decentralising, it is going to centralise. How is it the Tory Party has departed from its old principle? I wish the Chancellor of the Exchequer had been in his place, for he is a person one likes to quote. It is always possible to quote a short passage from a speech he made two years ago to show that his opinion formerly was different to what it is now. In 1888 the right hon. Gentleman said "My view is strongly in favour of decentralisation. The whole object of the Government was to decentralise as soon as they could." How are you carrying that out? Instead of decentralising you are going to centralise. Up to two years ago you induced us in the country by the offer of money—first one-third and then one-half—to submit ourselves to your control. You gradually obtained a very substantial control over the whole police forces of the country by offering to the municipal authorities what you knew they would not refuse. You admitted the principle was wrong, however, and you said you would put an end to it. You said you were going to establish in the counties authorities similar to those in the towns, and that when you had created them you were going to trust your own children. How are you fulfilling that high ideal of Conservative statesmanship? You are proposing to restore local grants in another form, and with the grants to restore central control. Under Clause 17 the local police authority is not to receive a grant unless it obtains a certificate from the Home Office inspector, a provision which will necessitate the keeping up of the present army of inspectors.

MR. MATTHEWS: We have three inspectors.

*MR. STOREY: Well, three is an army sometimes, on the stage. Why does the Bill touch counties and boroughs at all? Admitting for the sake of argument that a case can be made out for London, what is the necessity for dealing with the counties and boroughs? Which of them had asked for the Bill? Can he point to a single one that has done so? The Home Secretary does not answer; then I may take it that, as a matter of fact, not a single country authority, nor a single borough authority has asked for the Bill. Does that not demonstrate the truth of my contention? The right hon. Gentleman does not trust the county and borough authorities, and will interfere in

a matter that belongs essentially to them. I warn him that he will meddle and muddle. The borough authorities will not, without a protest, permit the right hon. Gentleman to restore the old system of centralisation, though out of deference to the case of London they will not make all the opposition they could at this stage. I warn him that he will have to contend with a great many municipal authorities and a great deal of municipal feeling. The right hon. Gentleman cannot be making his proposal because the funds in the counties and boroughs are deficient. He flourished before the House the fact that there was a large deficiency. I think he said it was a quarter of a million of money. The total deficiency in all the counties of England last year was £28,000, and that was in 17 out of the 44 county divisions. In the county of Durham this year there is no county rate owing to the subventions received, and as the police rate is only 2d there would have been no hardship in the county making up the deficiency in the police superannuation fund. The Borough of Sunderland has a superannuation fund, and has money invested, and it does not want to be troubled by the Home Secretary with either his money or his control. His personal presence, of course, we should welcome amongst us, but if he attempts to interfere with us and treat us as if we were little children, instead of municipal authorities, who quite understand our own districts, and are quite prepared to defray the cost of their management. I warn him that he will make a great mistake. What is the deficiency of the boroughs? The deficiency in the boroughs last year was £153,000. But on looking at the list it will be found that one of the boroughs is London, and that London is responsible for £139,000 of the deficiency, while the other 163 boroughs which possess superannuation funds are only responsible for a total deficiency of £14,000. I submit, therefore, that there is nothing in the financial necessities of the case to require this Bill to be extended either to the counties or boroughs. The right hon. Gentleman the Home Secretary is introducing an evil principle which, by and-by, will be bettered by hon. Gentlemen on this side of the House. I beg to move the Amendment which stands in my name on the Paper.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to insert the words "this House is of opinion that the superannuation of the Police is altogether a matter for the Local Authorities, and that the only sound principle on which to carry out a scheme is to pay the men adequate wages, so as to enable them, by means of existing benefit societies or of a fund administered and controlled by themselves, to make suitable provision for their own future."—(*Mr. Storey,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

*(10.18.) MR. WHARTON (York, W. R. Ripon): I am glad to be able to follow the hon. Member, as he has made allusion to the county of Durham. It may be satisfactory to him to know that Durham stands in a better position with regard to superannuation than any county in England. But the county of Durham, together with other counties, has for some time past been breaking the law, and this of itself is sufficient justification for the Bill before the House. The hon. Member for Sunderland objects to pensions, and so indeed did I; but when a system of pensioning has been going on for years it would be very difficult to abolish it. You have to deal with things as you find them, and if you attempt to do away with the system of pensions the present disaffection, as it is called, would soon, I am afraid, become actual revolt.

*MR. STOREY: I should have limited myself. I don't at all propose that there should be any change in the present system as applied to existing policemen. I would do away with pensions in the case of future enlistments.

*MR. WHARTON: It seems to me it would be difficult, if not altogether impossible, to maintain a force half of which could look forward to pensions and half of which could not. The hon. Member contends that pensions, if given to the police, ought to be equally given to every other class of public servants; but the peculiarly arduous, difficult, and dangerous duties of policemen place them on a different footing entirely. It is on that ground that I feel the superanua-

tion of policemen is more justifiable than the superannuation of any other class of public servants.

*Mr. CUNINGHAME GRAHAM (Lanark, N.W.): No; the gas stokers.

*Mr. WHARTON: I do not imagine that they are public servants. They are the servants of either private individuals or companies and cannot in any way be compared to policemen. My hon. Friend said this was a revolutionary scheme of a revolutionary Government; but I fear he could not have been in the House when the right hon. Member for Derby acknowledged that this measure was on all fours with one introduced by himself, and also by the right hon. Gentleman the Member for Wolverhampton. I believe the present Bill to be an excellent one, and I therefore give those right hon. Gentlemen credit for it as the Home Secretary did in the course of his speech. If, therefore, there be revolution in the Bill, the blame attaches to both sides of the House. So much for the speech of the hon. Member opposite. With regard to the Bill itself, let me say that I welcome it most sincerely, having had much to do with the police for many years, and I hope that it will prove the final settlement of a question which has been deferred too long. I do not blame any individual or any Government for not settling it, for we know pretty well what difficulty there is in bringing these matters, to a final and satisfactory conclusion. But I do hope and trust that in this matter which the right hon. Gentleman the Member for Derby has most truly said is in no way to be regarded as a party matter, the House will bestow its attention upon this Bill so as to perfect it and make it a real and final settlement, satisfactory to the ratepayers and to the police in the counties and boroughs as well as in the metropolis. As to what should happen if the Bill passes the second reading to-night, I myself deprecate delay. I agree with what fell from the right hon. Gentleman the Member for Derby, that the Bill will pass with greater celerity and satisfaction if it is dealt with in the ordinary way by a Committee of the Whole House than if it is sent either to a Grand Committee or a Select Committee. I am sure from the way the Bill has been received in the House, the hon. Gentlemen who take an interest in the matter will give it their careful attention, and will not unduly prolong their speeches, and that being so, it seems to me that it will be more satisfactory to the police if the details are considered in Committee of the Whole House. As to the police force itself, I believe some hon. Members hold that the policemen are a very highly-paid class of men; but I would point out that although they are not skilled they have two special qualifications—they must be men of good physique, and of a reliable character. For such a man we must be prepared to pay a good price. No one could have heard the figures given to the House by the Home Secretary in introducing the Bill without feeling that the policeman's life is indeed a hard one, because, though we know that his life is a somewhat surer one, so far as health is concerned, than it used to be, we know that so arduous is his work that after 25 years he generally ceases to be fit for active duty. The police stand on a different footing to other classes of working men, and it is with that in view that I say that they have a right to be treated differently in the matter of pensions.

(10.29.) Mr. J. ROWLANDS (Finsbury, E.): I listened with the greatest interest to the speech of the hon. Member for Sunderland, and appreciated the distinction he drew between the police of the metropolis and the police of the rest of the country. In regard to the metropolis, the responsibility for the police, both as to pay and pensions, rests on this House. The House cannot shirk the responsibility by saying that it is a matter for the Home Secretary. The Home Secretary for the time being no doubt is the responsible Minister, or Chief Executive Officer, but the House itself is the Watch Committee for London, and the House must bear the whole responsibility. We have had inducements held out to London police with regard to superannuation, and naturally the men have looked forward to the time when a Bill would be brought in that would give them the superannuation promised to them. I think with the hon. Member for Sunderland (Mr. Storey) that the

first step you should take should be to deal not so much with the question of superannuation as with that of wages. I say distinctly that you cannot divorce the question of the pay of the Metropolitan Police from that of their superannuation. I quite endorse the remark made by the hon. Gentleman the Under-Secretary for the Home Department in his criticism of the speech of the hon. Member for Sheffield (Mr. Howard Vincent), namely, that the hon. Member was not dealing with the question from the point of view of a man in the ranks, but was simply holding a brief for the superior officers in the Metropolitan Police force, whose remuneration is very fair indeed under the present scale.

*MR. HOWARD VINCENT: I beg pardon, but I am not holding a brief for anybody.

MR. J. ROWLANDS: I withdraw the word "brief," but I will say that the whole of the hon. Member's argument was that which was given in the memorandum sent to us by the superintendents, and that which from our personal knowledge we know to be used by them. Well, I say you cannot shirk the question whether you are prepared to place the men in a better position with regard to wages. If the question be considered outside the scope of debate, I would ask the Home Secretary why it is that in the memorandum, in which the details of the Bill are so explicitly stated, the pay of the members of the Metropolitan force is given and compared with the rate of pay in the City of London force. If that is not put there as part of the subject, why is it presented with the memorandum? We have been told that some enormous figures would be necessary to meet any increased remuneration. Last week the Government were asked what was to become of the £149,000 now charged for superannuation, when in place of it they are going to get £150,000 out of local taxation. They were asked whether the £150,000 would be absorbed by the thousand additional men added to the force, and I hope the representatives of the Home Office will give us some information on that point. I have been given to understand that what the vast majority of the members of the force are most anxious about is the question of remuneration. They think, and there is a great deal of argument on their side, that they who are outside the City are entitled to the same remuneration as the men inside the City get. They are more concerned on this point than on receiving two-thirds or three-fifths of their pay in the shape of superannuation. The argument advanced by the hon. and learned Gentleman the Member for Durham (Mr. Wharton) came with very bad taste from the representative of a democratic constituency, or a constituency in which the vast majority of the men are trade unionists. The hon. and learned member told us that the police of London were engaging in an agitation for which there was no just or sufficient cause, and he added that some one connected with the force had told him that as many men could be got as were required for the service. He concluded, I suppose, that because plenty of men could be got the wages paid are sufficiently good. I appeal to my hon. friends who have had to do with labour agitations as to whether, whenever they have engaged in agitation, they have not been told, "If you don't like to take the wages offered, we can get plenty of men to do the work." But what I wish to emphasise is that we London Members support the Bill because you have promised the police a system of superannuation. But, at the same time, we think that the question of a proper remuneration is more important than superannuation. We think a great deal more good would be done to the men by inquiring into their grievances with regard to wages, and making superannuation a secondary consideration.

(10.40.) MR. ISAACSON: I listened to the clear and explicit exposition of the Bill by the Home Secretary with a great deal of pleasure, and I was also pleased to listen to the very interesting speech of the right hon. Gentleman the Member for Derby (Sir W. Harcourt). It appeared to me that the only fault the right-hon. Gentleman found with the Government was that they have not taken sufficient pains to get proper information from the country as to whether they liked the Bill or not. Now I think the Government are very much indebted to three hon. Gentlemen sitting opposite—the hon. Member for Bethnal Green (Mr. Pickersgill), the hon. Member

for Sunderland (Mr. Storey), and the hon. and learned Member for Durham (Mr. Atherley-Jones). All those hon. Gentlemen have advocated an increase of wage instead of superannuation. The hon. Member for Bethnal Green pointed out that the pension which the Government proposed to give to the police would only make a difference of 8d. per week in the men's wages, and in the same breath he pointed out that if the Government would only listen to advice and increase the wages, the police would receive 2s. 3d. per week extra. The hon Members for Sunderland and Durham pointed out that the Government should increase the wages of the men in preference to giving them superannuation. These hon. Gentlemen have certainly proved themselves good friends of the Government. Hon. Gentlemen are always preaching economy, yet they advise increase of pay instead of superannuation. It is quite clear that superannuation will do more to keep down the rates than increase of pay. It has been said that the wear and tear of the London police is much greater than that of the police of the City or in the counties. I feel convinced that if the Home Secretary would only alter the time of entering the Service from 18 and 19 to 21 years of age, much good would result. It is difficult to get the class of men required for the Metropolitan Police. There are many applicants, but we must bear in mind that there are many openings in our colonies and elsewhere where good men can find employment even better than in the Metropolitan Police Force. I admire the Metropolitan Police as a body more than any body of men in the country. I remember asking a few years ago a German statesman what struck him most in London, and his reply was, "Your magnificent police." I really think that when we have such a fine body of men we should not begrudge them the small sum necessary to provide them with superannuation. I feel certain that no inhabitant of London will object to pay the very slight increase in the rate which will be necessary in order to find the money for this superannuation. I only hope that the Bill will be satisfactory to the police and to the country, that the police will settle down to their old form of obedience, and that we shall hear nothing more of meetings of inspectors or sergeants or any other portion of the force.

(10 48.) MR. CAUSTON (Southwark, West): I do not intend to enter into the details of the Bill, but as a London Member I must express some regret that the idea of referring this Bill to a Select Committee has been abandoned. I wish to see a peaceful settlement of this question, and I feel that as regards London such a settlement would have been brought about more certainly if the police had an opportunity of themselves stating their case before a Select Committee of the House. The hon. Member for Sunderland (Mr. Storey) has shown very clearly and forcibly that the Metropolitan Police and the country Police are entirely distinct. Unfortunately in London we have no control over our police, and if this Bill is not to be referred to a Select Committee, I appeal to the Home Secretary to use his influence with the authorities to see that the police have an opportunity of meeting together in their own districts and discussing the details of the Measure, and of placing their views before their representatives and the country. During the last few days the idea has prevailed that under the new Commissioner of Police, the voices of the men had been stifled. I hope that will not be the case. I am sure it would be against the interests of the police and the people of London if such a state of things prevailed. I am glad that the question of superannuation is to be put before the police in a more satisfactory form than it was thought a few days ago it would be put, but I repeat what I said the other night that I do not see why the Metropolitan Police should not be as well paid as the City Police.

*(10.52.) MR. S. HOARE (Norwich): I think some inconvenience has arisen in this Debate from the fact that of necessity the question of the condition of the Police Force in London has occupied a very prominent position. As the representative of a large borough, I think it is only my duty to express my thanks to the Home Secretary for the introduction of this Bill. Praise has been given to the Metropolitan Police, and I think they most richly deserve it; but at the same

time it is only right we should give some praise to our great police forces in our counties and boroughs. I am perfectly conscious of the arduous work which the Metropolitan Police do, but I cannot admit that the work which our County and Borough Police do is necessarily of an easy kind. They have night work in lonely lanes, they have heavy work in our towns, and they perform their duties satisfactorily and well. I therefore hope nothing will be done to alter the position of the police in the country as compared with that of the Metropolitan Police. Our County and Borough Police would feel it very much if they were treated in this House in a less considerate way to the Metropolitan Police. The right hon. Gentleman the Member for Derby (Sir W. Harcourt) asked the Home Secretary if he had made sufficient inquiries in the various localities before the introduction of the Bill. I may say that I at once forwarded copies of the Bill to my constituency. I forwarded copies to the corporation, the chief constable, and to the constables of Norwich, and I have every reason to believe they welcome the introduction of the measure. Let me add one word as to the remarks of the right hon. Gentleman the Member for Essex (Sir H. Selwin-Ibbetson), who seemed to suggest that it is desirable to have a varying scale according to merits of the officers in the various places. I trust we shall have a fixed scale. What the police want is to know, when they enter the force, exactly what their position is. They wish that their pension should be fixed; and if it is desirable for them to know how they stand, it is desirable that the County Councils, to one of which I have the honour to belong, should not have these questions ever coming up before them. I hope the pension will not only be fixed, and I should be glad if the Home Secretary could bring it up to two-thirds. In some districts it is already two-thirds, and it will be a great disappointment to the police officers in many places to find that the pensions they are to receive under the Bill will be less than their predecessors have received.

*(11.0) MR. CUNINGHAME GRAHAM: I notice just that difference of opinion among hon. Members opposite that makes the life of debate. The hon. Member for Stepney (Mr. Isaacson) has assured us that the Bill will be of the greatest possible use in relieving metropolitan rates, whereas the Home Secretary, who, I presume, understands the scope of the Government Bill better than his followers behind him, assured us, with equal earnestness, he was afraid that the Bill would ultimately put upon the rates a charge of £200,000. However, that may be ultimately or presently, I take leave to congratulate the Government on their novel position. With a substantial majority behind them, at last they have found a Bill which there seems to be some possibility of their being able to pass into law. The very novelty of the position must strike the House with great force in face of two remarkable examples of infructuous legislation. As to the Bill itself, I have to congratulate the police upon their case being taken up at last. Superannuation has long been in the air, but it is somewhat remarkable that this great consensus of opinion, as I suppose we must call it, should manifest itself concurrently with the agitation and dissatisfaction which have recently appeared among members of the force. I notice a remarkable change has "come over the spirit of the dream" of hon. and right hon. Gentlemen opposite. Whereas last week, in discussion upon police matters, hon. Members one after another rose to deny the fact that any such thing as dissatisfaction existed among the police, to-night we have assurances repeated that this most reasonable measure of the Government is produced in order to satisfy the legitimate aspirations of the Metropolitan police force. Now, I do thoroughly like a good contradiction, especially when it comes on the heels of an opinion expressed with such force a short time ago. It must show the country the extreme steadiness of opinion that prevails in this legislative chamber. However, I do not think we should have heard much of the Bill but for two circumstances. One circumstance is the fact of dissatisfaction, amounting almost to revolt, being observed among the Metropolitan Police force. It is a very serious thing when you have the police force of a large city in a state of semi-insurrection—though I do not believe disaffection had gone so far as that in this

city—but the very remarkable development of opinion on all sides in the House is due largely to the fact that members are aware that doctrines are becoming extensively spread among classes of the population that we who assume to legislate for them live on their labour and exploit them, and that being so, it is much more convenient and satisfactory to have a well-affected and contented police force to suppress the meetings and other constitutional rights of the working classes, than to be obliged to resort, as most Foreign Governments are, to that power upon which our civilisation is based, the Maxim gun and military force. Another circumstance that has largely assisted to bring this question to the front is the dissatisfaction undoubtedly existing among the superior officers of the Metropolitan Police force. I do not hold the opinion, and I do not think many sensible men do, that a policeman is worn out after twenty-five years' service. There are large sections of men among the working classes who work far harder all their lives. The hon. Member whom I ventured to interrupt, I hope not with discourtesy, during his speech drew our attention to the fact that the occupation of gas-stokers is a far more arduous one than that of police-constables in London, and hitherto, so far as I am aware, there has been no proposition that Government gas-stokers shall participate in any pension scheme whatever. What, therefore, does this point to? To the fact that among the superior officers of the Metropolitan Police force undoubtedly pensions are far more valuable than any rise in the rate of pay is likely to be, because the sympathy of many members is far more with the officers than with the rank and file of the Metropolitan Police force that this question has been pressed to the front. We have had from the hon. Member for Sunderland (Mr. Storey) a speech, so admirable, that if I had not totally disagreed with it from beginning to end I should have been forced to say it was one of the best speeches I have ever listened to in this House. I know he will allow me to thank him while criticising that speech in a courteous spirit for the very able argument he has laid down for us who are called Socialists, who are a much larger body in the country than in the House of Commons, and for our lines of procedure on future occasions. I do not think any argument advanced by the hon. Member for Sunderland would be rejected by those of us who hold more advanced opinions than he does of me, were I in a position to propose a pension scheme for men engaged in far more arduous occupations than police constables. There was a remark or two that fell from the hon. Member for Durham (Mr. Atherley-Jones) which I feel, in duty to myself and my constituents, I cannot allow to pass without a word. That hon. Member represents a constituency composed almost entirely of Trade Unionists, men occupied in the most arduous labour, and yet knowing that he represents men who hold opinions the very opposite to those he has expressed here, the hon. Member has had the audacity—I can use no other word—to lay down a theory which, if carried out in legislative sanction, would reduce his constituents to a condition very little better than absolute slavery. It is, I regret, too true that the Government could find thousands of men at any moment to replace the Metropolitan Police force; but this is because wages are so low generally, and I therefore hail with considerable satisfaction the proposition of the Government, which will undoubtedly tend to one thing, that is, to raise the social condition, the rate of wages, the condition of life of the Metropolitan Police. Personally, while not attaching so much importance to a scheme of superannuation as to the question of an increase in wages, I shall cordially support the proposal of the Government, because I think it opens a door, if only to a small extent, whereby the police force, as working men, may participate in the undoubtedly improved prospects enjoyed by the rest of the working-classes in the Kingdom.

*(11.10.) MR. BAUMANN (Camberwell, Peckham): I think that with the exception of the right hon. Gentlemen the Member for Derby and the hon. Member for Durham, we agree that the claims of the Metropolitan Police should be treated separately from those of the provincial police. Nothing in the speech of the right hon. Gentleman the Member for Derby (Sir W. Harcourt) astonished me more than that, with his experience,

he should claim for the rural ogbery Dr the same treatment as for the Metropolitan Police. The duties are very different; there is no analogy in the conditions of service. As a Metropolitan Member, I thank the hon. Member for Sunderland (Mr. Storey) for excepting the Metropolitan Police from the scope of his objections to the Bill. Now as to the question what is to be done with the Bill when it passes second reading, there seem to be three courses open: to refer the Bill to a Select Committee, or a Grand Committee, or to discuss it in Committe of the whole House. There is much to be said for a Select Committee, and it would enable the police to state their own case. The right hon. Gentleman (Sir W. Harcourt) says we ought to take our information from the Government, but I am not quite sure that the Government on this subject is anything else than a conduit-pipe for the views of the superior officers of the police. I am afraid in this matter the Government represent the opinion, not of the rank and file of the force, but of the superior officers, and if only as giving the rank and file the opportunity of expressing their views there is much to be said in favour of a Select Committee. But there is an insuperable objection, I think, to a Select Committee that quite outweighs the advantages, it being agreed that expedition is desirable; if the Bill is referred to a Select Committee it has afterwards to pass through a Committee of the whole House, two Committee stages, in fact, and, to my mind, this is an insuperable objection. Then the Bill might be referred to a Grand Committee, but I would point out that the Grand Committee sits only twice a week from twelve o'clock to three, that it does not continue while the House is sitting. So on the whole, and with the view of expediting the Bill, quite the best thing we can do is to pass the Bill through Committee of the whole House. With regard to the scale of pensions, the two-thirds rate or three-fifths rate, those of us who represent London constituencies are in rather a tight place; we are "between the devil and the deep sea," between the ratepayers on the one hand and an army of 15,000 gentlemen in blue on the other. We could be happy with either "were t'other fair charmer away," but it requires some diplomacy to be happy with both. So far as I can see, the feeling of the ratepayers is, "The police are guardians of our homes and property, therefore let the police be contented and well paid, even though the heavens should fall or the rates rise." I think the ordinary ratepayer would rather spend a little more in securing the contentment and happiness of the Police Force, and a little less in ministering to the reckless ambition of the School Board and County Council. It is quite true that a Select Committee sat in 1877, and reported distinctly against the two-thirds scale of pensions after 25 years' service, and in favour of the three-fifths scale proposed in the Bill, but I think it ought not to be forgotten that the conditions of 1877 were very different to those of 1890. 1887 was the pre-procession era. Since 1877 we have had the growth of these monster demonstrations and processions, which have added enormously to the work of the police. I hope it may be possible in Committee to arrange a scale that will give the men two-thirds pensions after 25 years' service. I know it is a matter of some difficulty, but I think it may be arranged in Committee, and I hope it may be done. I quite agree that party capital should not be attempted to be made out of the condition of a great branch of the Public Service, and I am happy to observe that no one has attempted it, for it is a dangerous practice. I trust we shall do our best to see justice done to the police,—a body of men whom it is superfluous to praise, but whom it is necessary to pay with reference to the rising scale of wages in other occupations.

(11.18). SIR G. CAMPBELL: I never liked the Bill, and after hearing the speeches of the Home Secretary and the Under Secretary I hate it. The Secretary of State made a strong case in favour of the Bill, but still as if he did not like it; the Under Secretary spoke, *con amore*, as if he did like it. I have heard the provisions of the Bill ably discussed, but I think the principle is objectionable, and I mean to vote against it. At the same time, I cannot agree with the hon. Member for Sunderland (Mr. Storey), and I do think it

desirable in the interest of the public service that there should be a just and reasonable system for establishing a superannuation fund, but on a fair principle, not the principle upon which this Bill is founded. The *Times* the other day quoted me as having said at the end of the debate that "the Home Secretary, of all people in the world, had entered on a mad career of excessive and extravagant superannuation." Now, I did not mean that as a mere figure of speech; I meant it sincerely, and my impression has been confirmed. The right hon. Gentleman has told us he has reason to believe that the superannuation of the Metropolitan Police will mount up to £400,000, and in Scotland to £120,000. That means 40 per cent. of the cost of the pay of the efficient police, the cost of the police in Scotland being £500,000, and I say this is a grossly extravagant proposal to force upon the country. The Home Secretary has not repeated the figures he gave us the other night; perhaps he does not want to alarm us, and waits to get the Bill passed; but he did, in vague and indefinite terms, give vent to an alarming prediction, although he did not give us the actual figures. We had the figures put before us the other night to show that in counties and boroughs in England, where we have police superannuation in existence managed by local authorities, there is nothing like this extravagant expenditure. If these local bodies have been enabled to manage their affairs without objection at a moderate cost, why should the Home Secretary, by this compulsory Bill, impose upon them this enormously excessive scheme? I object to the principle which appears in the very first words of the Bill, that every constable shall be entitled to this advantage even though he does not provide a medical certificate and though local authorities do submit it. This is the principle in the preamble, and this I oppose. It seems to me the Bill has for its object the creation of that great evil, a vested interest, a right of every policeman to a pension. I think that a pension ought to be a reward for services willingly given by local authorities to their servants, and not a vested interest to be enforced by courts of law. We have heard much of vested interests lately, and the Government have been forced to give up their project for creating a vested interest for another class. There are policemen who have never paid into a superannuation fund, have never contracted for it in their conditions of service, and have no right to it, and yet, the day after this Bill passes, they will have a right to to enforce their vested interest in the system created. We are somewhat sensitive on this subject in Scotland, we have had examples of the evil of creating vested interests, we had an example in the vested rights of schoolmasters, and I appeal to any Scotch Member whether this system of vested rights does not stick in the nostrils of every Scotch Member, and, I may say, every Scotchman. Under this Bill a local authority can get rid of a non-efficient policeman only by the payment of an exorbitant pension. The Bill goes so far as to declare that if a policeman is dismissed for the gravest fault, or for drunkenness and non-efficiency, forthwith he may claim a large pension. I totally object to these rights. In my view the object of a superannuation fund should not be to confer vested rights, but that old servants should not be turned adrift without provision, that the authorities may get rid of an old servant in the public interest, but that he should not be turned out to starve. I protest against going beyond that with a system that gives a man not exhausted, not invalided, but in the prime of life, the right to leave the service with a large pension. It would not be so bad if there were a high limit of age, but here is an entirely new departure, and no age limit being fixed, a man may retire in the prime of his powers. Employers of labour, of course, will be glad to get such men, and there will be many such, for, as we have heard that under the *régime* of the right hon. Gentleman the Member for Derby very young men entered the service. I know I am an instance of one who retired from active service after twenty-five years, with an annuity, but that was service in India, and, under then existing circumstances, service a good deal harder than any in the Metropolitan Police. It was among the conditions offered to induce men to serve in India, but even then I admit it is injurious to the service to permit men to retire at a

comparatively early age. I remember once being in conversation with an eminent native counsel, and he said, "I can understand your administration in India is wise and good, but one thing I cannot understand, and that is when men have arrived at a period of service when their experience is most valuable you pension them off at a comparatively early age." What proved an inconvenience in India will, no doubt, become an abuse in London, and the result will be that you will get rid of the cream of your Force and be left with the dross. You will have a bad bargain; you will have an emasculated Police Force. Possibly, if this new arrangement were to be applied to the men only, there might be something said in its favour, for no doubt many of the constables are pretty well done for after they have served 25 years; but, unfortunately, it will equally apply to the officers, who are combining to extort from the Goverment and the country these excessive pensions. I think they should be strenuously resisted. The Home Secretary not only proposes to concede as much as the City Police get, but a great deal more, for the City pensions are given upon the average pay of the whole period of service, and that is a different thing to a pension given on the highest pay drawn. This is a most extravagant proposal. Again, the officers are not the men who get worn out with night duty and by exposure to all kinds of inclement weather. These proposed pensions are greatly in excess of what are paid to other classes of civil servants. I am in favour of giving the police more liberal rates of payment; they should be paid rather over than under market rates, and then it would suffice to have a moderate superannuation fund for disabled men. But you are creating for the police extravagant vested interests which will make them your masters instead of your servants. I dislike the compulsory power of this Bill; I object to the local authorities being forced to superannuate their police on a given scale whether they like it or not. I hope the Bill be largely modified in Committee.

*(11.37.) MR. FENWICK (Northumberland, Wansbeck): I do not wish to interpose many minutes between the House and the division, but I think it desirable that some member of the Government should get up and tell us frankly to what committee it is intended to refer this Bill when the second reading has been obtained. The right hon. Gentleman, the Member for Derby, has strongly urged them to reconsider the decision to refer it to a Select Committee, and to send it before a Committee of the whole House, seeing it is of vital importance. It is a complete innovation of Parliamentary practice, because it proposes to pension or superannuate workmen not directly in the employ of the State. That is a very dangerous principle indeed, but now that it has been made by the Constitutional party I suppose it is the proper thing to do. The Government are sowing the wind, and they will reap the whirlwind. I cannot forget that there is another Bill before the House in charge of a private Member which extends the same principle in the direction of giving pensions to miners in Scotland, but this indicates the nature of the proposals in the wind at the present time. I think the importance of this proposal is so great that we should have some expression of opinion from the Government as to what kind of Committee they are going to have.

*(11.40.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I have no hesitation in replying to the challenge of the hon. Member. The Government believed that the proposal to refer the Bill to a Select Committee was desired by all parties in the House, as it had been urged from the opposite bench, and by hon. Members interested in the question. All that the Government desire is that the question shall be carefully and thoroughly examined. The debate has shown that on the whole it would not be desirable to refer the Bill to a Select Committee. The Government therefore propose to place the Committee on Tuesday, and consider whether it will be better that the Committee should be taken in the whole House, or whether there should be a reference to a Standing Committee. The House will have an opportunity of considering that question. The Government have not decided it in their own mind, and leave it open. I hope now that the House will be prepared to give a

verdict on the motion of the hon. Member for Sunderland and allow the Bill to be read a second time. I believe that the matter is one which ought to be dealt with in the words of the right hon. gentleman opposite as rapidly as is consistent with full consideration of all the important questions involved in it.

(11.42.) SIR W. HARCOURT: I hope that the House will allow the Bill to be read a second time. With all respect to the hon. Member for Sunderland, there is a general feeling that there should be a measure of superannuation, and if that is so I think the sooner we can get into Committee the better. I agree with the hon. Member for Ripon that a Committee of the whole House would be much better than a Standing Committee. I hope that the Government will come to that conclusion, and I am glad that they have abandoned the idea for a Select Committee. I think that there should be discussion in Committee as to how far latitude is to be given to the Local Authorities in the provinces as to this question of pensions.

(11.44.) The House divided:—Ayes 62; Noes 226.—(Div. List, No. 165.)

Main Question again proposed.

(11.58.) DR. TANNER (Cork Co., Mid): I rise, Mr. Speaker, to say——

*Mr. WILLIAM HENRY SMITH rose in his place, and claimed to move, "That the Question be now put."

Question, "That the Question be now put," put, and agreed to.

Main Question put accordingly, and agreed to.

Bill read a second time, and Committed for Tuesday next.

POLICE (SCOTLAND) BILL.—(No. 353.)

SECOND READING.

Order for Second Reading read.

*MR. D. CRAWFORD (Lanark, N.E.): Before a day is fixed for the Committee stage of this Bill I think the House ought to have from the Government some information as to the total cost of the scheme and the liability of the rates of Scotland under it. I speak as one of those who just now voted with the Government, and I hope the Government will deem it right to lay on the Table an explanatory statement, as was done in the case of the English Police Bill, showing how the question stands in the respects I have mentioned.

*MR. W. H. SMITH: In answer to the hon. Gentleman the Member for Lanark, I have only to say that the Government do not think it desirable at the present moment to furnish a full explanation on the points referred to. They think it will be far better that the information desired by the hon. Gentleman should be obtained by means of the Select Committee, to whom the Bill will be referred than that it shou'd be now communicated to the House.

Second reading deferred till Monday next.

CUSTOMS CONSOLIDATION ACT (1876) AMENDMENT BILL.—(No. 247.)

Read the third time, and passed.

SUPREME COURT OF JUDICATURE (PROCEDURE BILL).—(No. 245.)

Bill considered in Committee, and reported; as amended, to be considered upon Monday next.

PARLIAMENTARY VOTERS (REGISTRATION) BILL.—(No. .)

SECOND READING.

Order for Second Reading read.

*MR. CREMER (Shoreditch, Haggerston): I am about to move that the Order for the Second Reading of this Bill be discharged and the Bill withdrawn, but in doing so I wish to say that many hon. Members on this side of the House, and I believe on the other side also, think that the Government ought to take this question into consideration, as it seriously affects every Member of this House. I now beg to move that the Order for the Second Reading of the Bill be discharged, and the Bill withdrawn.

Order for Second Reading of Bill discharged.

House adjourned at ten minutes after Twelve o'clock till Monday next

HOUSE OF LORDS,

Monday, 30th June, 1890.

CLERGY DISCIPLINE (IMMORALITY) BILL.—(No. 134.)

THE ARCHBISHOP OF CANTERBURY: My Lords, I had hoped until lately that a place might be found for a Clergy Discipline Bill, affecting cases of immorality only, and I believed it was right not to lose the least chance of legislating on the subject, partly because the clergy themselves, in their Convocation, as well as other authorities, have long asked for fresh legislation. I, therefore, asked your Lordships to give a First Reading to a Bill upon the subject; but it is now clear that, through press of business, there is no hope of passing the Bill, nor would it be right, in the present condition of business, to ask for facilities to be given in another place. The scope of the Bill, my Lords, is the same as of that which passed your Lordships' House upon a former occasion without a Division; but since that time it has had the further advantage of being further revised by some eminent Members of your Lordships' House and other persons, with a view to improving it, and meeting objections which have been made to it in this House, upon certain points of procedure, and also to remove anything which might bear upon any other subject than that of immoral conduct. I must say that I greatly regret the opportunity has passed of passing legislation for much-needed reforms; but, for reasons which I hope will commend themselves to your Lordships, it is thought better not to proceed in this House with the Bill at a time when it is certain not to go forward or make any progress in the other House, because that would put your Lordships to the inconvenience, after having read and, I hope, passed the Bill a second time, of having it brought before your Lordships yet a third time. So, by your Lordships' leave, I will move at once to withdraw the Bill. At the same time I am very glad it is in your Lordships' hands, and open to criticism; and, with your Lordships' permission, I should like to state that I hope to bring it in at the very earliest opportunity next Session.

Bill (by leave of the House) withdrawn.

CUSTOMS CONSOLIDATION ACT, (1876) AMENDMENT BILL.—(No. 152.)

Read 1ª, and to be printed.

CHAIRMAN OF COMMITTEES.

Moved, that the Lord Foxford (*E. Limerick*) do take the Chair in the absence of the Earl of Morley (*The Marquess of Salisbury*); agreed to.

REGISTRATION OF VOTERS (BOROUGH OF BELFAST BILL.—(No. 91.)

House in Committee (according to order): An Amendment made: The Report thereof to be received To-morrow.

ANGLESEY ASSIZES AND QUARTER SESSIONS BILL.—(No. 125.)

House in Committee (according to order); Bill reported without Amendment); and to be read 3ª To-morrow.

TRUSTEES APPOINTMENT BILL. (No. 84.)

THIRD READING.

Order of the Day for the Third Reading read.

Bill read 3ª (according to order).

LORD HERSCHELL: My Lords, my attention has been called by my noble and learned Friend on the Woolsack to the fact that some exception has been taken by the Charity Commissioners to the form in which the Bill at present stands, so far as it extends to persons associated together for religious purposes. I propose, in order to meet that objection, to leave out in the first clause, at line 10, the words "or for the promotion of education." It will not affect the substance or framework of the Bill at all.

Amendment made.

Bill passed, and sent to the Commons.

THE CESSION OF HELIGOLAND.

QUESTION—OBSERVATIONS.

THE EARL OF ROSEBERY, in rising to ask (1.) If Her Majesty's Government will be prepared, in the event of the cession of Heligoland being carried out,

to give facilities to such of the natives as may wish to remain subjects of the British Crown to settle in other portions of the British Empire (2.) whether it be true, as reported in a recent telegram, that the right of fortifying the island is to be subjected to restrictions, said: My Lords, I do not wish to add many remarks to the question which is on the Paper, and, indeed, the second of the questions has been, I think, answered in another place since I gave notice of them; but to the first question I attach rather more importance than the noble Marquess, I think, is inclined to do. When I asked him the other day as to whether the wishes of the people of Heligoland had been at all consulted in reference to this cession of territory, the noble Marquess replied that the *plébiscite* was rather alien to the customs of this country. But the cession of territory is also alien to the customs of this country, and I confess I think it a grave matter that we should absolutely hand over a population which seems, as far as we can judge, perfectly loyal to the British Crown, without at least giving them the option of settling in some other parts of Her Majesty's dominions; of course, I mean at the public expense. There is, I believe, a large sum of money of Imperial taxation for which Her Majesty's Government are now endeavouring to find employment; and the consideration might possibly enter among the alternative schemes whether it might not be an advisable method of treatment for that sum to apply it in aiding the Heligolanders to settle elsewhere. I do not know whether they have destined that sum to a different employment; but, whether that be so or not, I do hope that Her Majesty's Government will consider carefully the wishes of these people. They are said to tend only in one direction, and I think it would be a slur upon the diplomacy of the noble Marquess if he found that he had handed over a reluctant population to a foreign sway. My Lords, may I say one more word with regard to the system of putting Questions in this House, which I am obliged to pursue, in order to obtain information in this matter? I have urged upon the noble Marquess very strongly the importance of making a full statement to the House in reference to these negotiations. The Questions I ask are asked in no hostile spirit. They are asked simply for information, and I must say that at this moment we stand greatly in want of it, as to the nature of this Agreement. I am not in the least disposed to impugn it. I have always considered that the person who is in charge of the Foreign Office must necessarily know much more of the considerations which lead him to his policy than can possibly be known to the world outside. But with all that conceded, I think there is something gained by taking Parliament, as far as possible, into your confidence, in a matter of so much importance. I must say that my Questions have elucidated certain points, and the most important of them is this. The noble Marquess's Despatch speaks of the Sultanate of Zanzibar as being part of the consideration which we are to receive for the cession of Heligoland. It is the Sultanate of Zanzibar that is to be received; but we have ascertained that it is not the Sultanate of Zanzibar as we left it when we went out of office in 1886. It is the Sultanate of Zanzibar as partitioned out by the Agreement of October, 1886, after the noble Marquess came into office. Therefore, the Sultanate of Zanzibar is not now as we left it, a group of islands with one principal island, with a long stretch of coast on the mainland opposite to it; it is simply the Island of Zanzibar and the Island of Pemba, without any additional islands and without any of the mainland opposite to that island. Well, that is light thrown on the Agreement; and I am afraid that until the noble Marquess sees his way to promise us either Papers, or to make a fuller statement on the subject, we must persevere, by the tiresome, detailed process of interrogation, in endeavours to obtain information as to the exact nature of the Agreement he has made.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, I will first answer the Questions of the noble Earl. I am not aware that my right hon. Friend the Chancellor of the Exchequer has any funds to dispose of for the purpose of settling Heligolanders in various parts of the Empire. I have received no intimation from the island, or from the people, that such a measure would be in conformity

with their wishes. I have received no intimation that there is any discontent on their part with what is being done; and I believe that every effort which it is possible to make will be made by the German Government, and that every security will be taken in the Convention for the protection of their interests. We have done our best to ascertain what their wishes were, though not by the method of a *plébiscite*, which seems to commend itself so much to the mind of the noble Earl.

THE EARL OF ROSEBERY: It was the noble Marquess who mentioned the *plébiscite*, not I.

THE MARQUESS OF SALISBURY: It may, perhaps, have occurred to the noble Earl that a *plébiscite* might be an awkward precedent as applied to other parts of the Empire. With respect to the other question, I think the noble Earl is aware that it answers itself—of course, we have never suggested any limitation to the power of the German Government to fortify the island if they please. I quite recognise that the noble Earl and his friends have acted with great consideration in reference to all these affairs, and I am also willing to concede that full information is due to them; but I think it is a rule that has always been observed in the Foreign Office, and a very valuable rule, that discussions should not take place until negotiations of this kind are concluded. We thought it desirable to issue a Despatch for the purpose of stating what our general intentions were; because such matters as these become subjects of discussion and of public comment, and strange and distorted accounts of them are apt to get before the public eye. Undoubtedly, as soon as the Convention is signed it will be our duty to lay it upon the Table; and it will be our duty to introduce a Bill for the purpose of giving effect to its provisions, and of dissipating any doubts there may be as to the power of the Crown in respect to Heligoland. Upon that occasion I will do my best to give all the information to the House I have in my power to communicate, and to explain at length the whole of the motives that have guided our policy. The noble Earl interjected some statements into his comments which I can hardly pass without something of a protest. It is not true that the Sultanate of Zanzibar on the mainland was unimpaired when the noble Earl left office in 1886. Very large slices, indeed, had been taken out of it before that date; and although it is perfectly true that the last Agreement defining the spheres of influence was signed by Lord Iddesleigh about six weeks after he came into office, I do not think that on examination it will be found that any diminution of the prestige or the power of the Sultan of Zanzibar can be laid at our door. When we left office, as far as my impression goes, it was acknowledged that the actual extent of those dominions of the Sultan of Zanzibar was limited to 10 miles stretch of coast. That 10 miles stretch of coast remains with the Sultan of Zanzibar, though he has a tenant for it in the shape of the German Empire, and that tenant, perhaps, stands in relations to him which are more according to the fashion and custom in the Sister Isle than in England. But, as the noble Earl will have noticed, it is agreed that we are to press upon the Sultan of Zanzibar that we are to take the course which I believe is the only sensible plan, that is, to turn this nominal occupation into real dominion, the Sultan taking an equitable consideration for the revenues which he sacrifices. That, however, is a matter for the future. For the present the answer which I have to give to the noble Lord is that I have great hopes that the Convention will be signed in a few days; and as soon as that is done we shall lose no time in laying it on the Table, and introducing a Bill, so as to enable the House to thoroughly discuss all its provisions.

EARL GRANVILLE: My Lords, after what has been stated by the noble Marquess I certainly do not rise to inaugurate a premature discussion upon this important question, further than to say with regard to that answer that we reserve to ourselves full liberty to discuss the question in all its bearings, when the Bill to which he has referred comes before your Lordships' House. The only thing I think I may be allowed to say at present is that I do not think the answer to the first Question put by the noble Earl was perfectly satisfactory. The noble Marquess stated that he has ascertained the opinions of the population, but he did not tell us in what way.

He also argued—based rather on the technical ground that this small population with no organisation whatever had made no specific representations to him—that they were satisfied with what was about to be done. I do not think that answer is satisfactory. There is a very strong feeling existing that the population of Heligoland are averse to this cession; and I think it would be well if the noble Marquess, when the Bill is introduced, is able to show that he has really taken every pains to ascertain what the opinion of the population is.

THE EARL OF ROSEBERY: Would the noble Marquess object to state what the means were which he took to ascertain the feeling of the population?

THE MARQUESS OF SALISBURY: Obviously they were means of a confidential character, and, therefore, it is not possible for me to discuss them.

EARL GRANVILLE: Confidential with the population, does the noble Marquess mean?

House adjourned at ten minutes before Five o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 30th June, 1890.

QUESTIONS.

IRELAND—"SHADOWING."

MR. T. M. HEALY (Longford, N.): I beg to ask the Attorney General for Ireland if he can state the number of persons "shadowed" and the number "watched" in Ireland for each or any of the three weeks ending 21st June?

*THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): In answer to the question, I have to say that the number of persons in Ireland who are now permanently watched by the police in the manner which I presume is indicated by the word "shadowed" is, in all, 12. This applies to the whole of Ireland, and I must respectfully decline to give information with reference to any particular locality. As regards those who may be so watched on particular occasions or at particular times and places, it would be difficult and, on the whole, inexpedient in the public interests to attempt to make any detailed statement.

MR. SEXTON (Belfast, W.): Is there a category of persons casually "shadowed"?

*MR. MADDEN: The hon. Member must know that certain persons are observed by the police at particular times and places.

MR. J. O'CONNOR (Tipperary, S.): Are there not more than 12 persons who are being "shadowed" in Tipperary alone?

*MR. MADDEN: No, Sir; not permanently watched.

MR. CLANCY (Dublin Co., N.): Will the right hon. Gentleman give the names of those who are "shadowed"?

*MR. MADDEN: No, Sir. That would defeat the object for which the observation is carried on.

MR. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the Attorney General for Ireland whether any instructions have been issued to the Royal Irish Constabulary during the past 12 months respecting their action in relation to public meetings, evictions, the watching or "shadowing" of persons, and boycotting; and, if so, whether he will lay copies of such instructions upon the Table?

*MR. MADDEN: Instructions of the nature in question have been issued. But it would be contrary to the invariable practice of every Government to lay copies of them upon the Table or otherwise publish them. Such a course would be highly inexpedient in the public interest.

MR. JOHN O'CONNOR: I beg to ask the Attorney General for Ireland whether he is aware that Mr. John Cullinan, of Bansha, County Tipperary, was summoned by Sheriff's order to attend as a juror at the Quarter Sessions held at Clonmel on the 23rd instant, and, on attending, was followed all day by Constable Gurry, who went into the Court when Mr. Cullinan entered it, and left it when he left, and travelled back by the same train, always keeping him under surveillance; and whether, inasmuch as Mr. Cullinan was obliged to answer the summons as a juror under a penalty of £50, he will explain how it

happened that he was shadowed by the police while obeying the summons of a Court of Justice?

*MR. MADDEN: The circumstances under which Mr. Cullinan went to Clonmel were not known.

MR. J. O'CONNOR: As Clonmel is more than 20 miles from Tipperary, where Mr. Cullinan was charged with boycotting, was it necessary to persecute him while he was engaged in the performance of his duty?

*MR. MADDEN: I have stated that the Police Authorities were not aware that Mr. Cullinan went to Clonmel in order to act as a juror.

MR. SEXTON: Is this one of the 12 persons who are permanently shadowed wherever they go and whatever they do?

*MR. MADDEN: The only further information in my possession as to Mr. Cullinan is that in 1881 he was imprisoned under the Protection of Person and Property Act; in July, 1888, he was imprisoned for unlawfully inciting to crime, and last year he was imprisoned in default of bail.

MR. J. O'CONNOR: Is it not the fact that on the last occasion the Magistrates declared that they could not find Mr. Cullinan guilty of the charge made against him?

*MR. MADDEN: I am not aware.

MR. W. REDMOND (Fermanagh, N.): Does the Chief Secretary propose to shadow everybody who was imprisoned in 1881?

No reply was made.

DOG LICENCES.

MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the Attorney General for Ireland whether, on the 20th of May last, Mr. T. W. French, R.M., sitting at Tullock Petty Sessions, fined Mr. Joseph Riley for having a dog without a licence, and compelled him to take out a licence; whether it has since been proved to the satisfaction of the police that the dog belonged to a Mr. M'Aloon, and was licensed; and if the expenses incurred by Mr. Riley will be refunded to him?

MR. MADDEN: I am informed that Mr. Joseph Riley was fined 1s. and ordered to take out a licence for the dog. He produced no evidence in Court to the effect that the dog belonged to Mr. M'Aloon, and was licensed at the time; nor has anything since transpired to lead the police to believe that his contention is well-founded.

ATTACK UPON AN IRISH LADY

MR. T. W. RUSSELL: I beg to ask the Attorney General for Ireland whether he has seen a paragraph in the *Scotsman* of the 25th instant, in which the following passage occurs:—

> "One day, recently, Miss Holmes, daughter of Rev. Mr. Holmes, Presbyterian minister, at Tipperary, was returning home to the manse after doing some shopping, when she was attacked by a brutal crowd and horribly cut about the head";

and whether the police have made any Report on the matter?

MR. MADDEN: The Constabulary Authorities report that the daughter of the rev. gentleman mentioned was, while on her way home, after purchasing some goods at a boycotted shop at Tipperary, attacked by some people, and stones thrown at her, striking her on the back. So far as the police are aware, her head was not injured.

MR. J. O'CONNOR: Did the molestation consist of this: that on returning from a boycotted shop, this lady was remonstrated with by two girls for having dealt at that shop; that when the young lady threatened them with the police, the girls stated that they did not care; that next day, when she was accompanied by policemen, some children and girls attacked the police, when it was stated that the attack might be misinterpreted; and that since that time Mr. Holmes and his daughter had walked the streets of Tipperary every day without molestation or interference?

MR. MADDEN: My information does not bear out the information laid before the hon. Member.

MR. J. O'CONNOR: I will repeat the question.

MR. T. W. RUSSELL: May I ask whether, in view of this practice of remonstrating with people who have a right to purchase where they like, adequate protection will be given to persons like Miss Holmes?

MR. MADDEN: Certainly.

THE CRIMES ACT.

MR. J. F. X. O'BRIEN (Mayo, S.): I beg to ask the Attorney General for Ireland whether his attention has been called to a

case which came on appeal before County Court Judge Richards at Swinford, County Mayo, on 16th June, in which the County Court Judge is reported to have stated that—

"It was purely a decree for shop goods, and I do not find that there is any disposition on the part of the jurors of this country to refuse to convict for rescue if a proper case be established. On the contrary, as many of the jurors are shopkeepers, they would rather be inclined to go against a person charged with rescue than in his favour. Under these circumstances, why the Constitutional Law is not resorted to I find it really impossible to make out;"

and to the statement of Mr. Mannion, solicitor for defendants, in reply—

"That the District Inspector intended to take proceedings under the ordinary law; but I understand that, by instructions from headquarters, he was directed to proceed under the Criminal Law and Procedure (Ireland) Act;"

who is the person at headquarters responsible for this conduct; and under what head will this case appear in the Returns?

MR. MADDEN: I am informed that the statements in the question as to what occurred before the learned County Court Judge are correct. The statement, however, attributed to the solicitor for the defendants, is not correct. The prosecution was instituted by direction of the Divisional Commissioner, and not in consequence of instructions from headquarters. In answer to the last paragraph of the question, I have to say that the case will not appear in the Returns referred to.

CASE OF MR. J. LYONS AND OTHERS.

MR. ROCHE (Galway, E.): I beg to ask the Attorney General for Ireland whether he is aware that, in the case of Mr. John Lyons, a merchant of Portumna, and three other men, who are at present undergoing a sentence of two months' imprisonment with hard labour, on the charge of intimidating James Mitchel, Mitchel, when produced as a witness by the Crown, swore that he did not know any of the defendants, that they had never intimidated him, or attempted to do so, and that they had never, in any way, attempted to induce him not to buy Dillon's hay; and if he will consider the advisability of releasing them from prison?

*MR. MADDEN: I must refer the hon. Member to the answer already given by my right hon. Friend the Chief Secretary. The case did not depend on the evidence of any single witness, and it was fully re-heard on appeal when the conviction was affirmed by the County Court Judge. It is, of course, open to the prisoners or any person on their behalf to petition the Lord Lieutenant for their release, but the Chief Secretary sees no reason to suggest such a course.

MR. ROCHE: As the question is practically unanswered I beg to give notice that I will repeat it.

THE ROYAL IRISH CONSTABULARY.

MR. JOHN ELLIS: I beg to ask the Attorney General for Ireland whether the sums entered as "Allowances" under Sub-head D of Vote 19, Class III., Civil Service Estimates, are in addition to the salaries entered under "Pay," under Sub-head C of the same Vote, to the County and District Inspectors of the Royal Irish Constabulary?

*MR. MADDEN: Yes, Sir.

MR. JOHN ELLIS: I beg to ask the Attorney General for Ireland in what manner (whether by examination, length of service, or any other method), appointments are made to the positions in the Royal Irish Constabulary of County Inspectors, District Inspectors of each class, head constables and sergeants; and whether there are any maximum or minimum limits of age in each of these ranks; and, if so, what are they?

*MR. MADDEN: I beg to refer the hon. Member to my reply to a similar question put by the hon. Member for the Rushcliffe Division of Nottingham (Mr. J. E. Ellis), on the 25th July last, which will be found fully reported in *Hansard*.

CASE OF SERGEANT LORD.

MR. PATRICK JOSEPH O'BRIEN (Tipperary, N.): I beg to ask the Attorney General for Ireland, with reference to allegations relative to the charges of forgery and fraud made against Sergeant Lord, of Lorrha, County Tipperary, he will state what action is to be taken in the matter; whether, in addition to the presumptive evidence afforded as to the money being due to the complainant Maher by the offer of payment to him by Mr. Doolan, J.P., there is evidence that Lord himself subsequently came to Maher begging to have the charge withdrawn, and tendering

payment, and also sent Constable Edwards, of Carrigahorig, to the complainant with the same object, he will take into account that a fraud has been committed on the Police Authorities, and money obtained by the presentation of a forged voucher; and whether, in the interests of justice, the Government will direct the Attorney General to consider the case?

*MR. MADDEN: There was no presumptive evidence in this case except a statement which, having regard to former proceedings, cannot be accepted as trustworthy. The police have been engaged in prosecuting an inquiry, but they have as yet found nothing to bring under the notice of the Government.

MR. SEXTON: Is there any objection to put to Maher the simple question, whether he signed the voucher or not?

*MR. MADDEN: I am sure that the Constabulary Authorities will take every proper step.

CHARGE AGAINST SERGEANT JERVIS.

SIR THOMAS ESMONDE (Dublin Co., S.): I beg to ask the Attorney General for Ireland whether any report has been made by the police officer of Gorey district to the Police Authorities in Dublin Castle against Police Sergeant Jervis, of Gorey, for drunkenness in the public streets in January last; if so, what action has been taken by the authorities in reference to the charge?

*MR. MADDEN: The Constabulary Authorities, assuming that this question relates to the case of Sergeant Ferris, report that, in accordance with the rule in such cases, he received an unfavourable record.

CONDUCT OF POLICE.

SIR THOMAS ESMONDE: I beg to ask the Attorney General for Ireland if he is aware that a police constable from Courtown, County Wexford, recently left with Mr. William Bolyer, tailor, of Gorey, material for a suit of plain clothes, for which he was measured; whether, subsequently, this constable was ordered by Head Constable M'Cormack, his superior officer, to cancel the order and take away the stuff; and, if so, what was the reason for the head constable giving such an order; and whether the sub-constable has cancelled the contract?

*MR. MADDEN: The Constabulary Authorities report that the head constable never gave any such order as that alleged in the question, and that he has not cancelled his contract with the tailor who has the cloth in his possession.

SIR THOMAS ESMONDE: I beg to ask the Attorney General for Ireland if he is aware that on Friday, 20th June, James Redmond, victualler, and two other men were about entering the Gorey Railway Station, when a police constable named Harper ran to the entrance and knocked Redmond down, and that Redmond sustained such severe injuries that he was unable to transact business next day; if he can state what excuse the constable gives for the attack; and whether it is true that the constable has served Redmond and his companions with a summons for assault?

*MR. MADDEN: I am informed that the facts are not as stated in the first paragraph; but as the circumstances will be judicially investigated at the hearing of the summonses against Redmond and another, I must ask to be excused from making any detailed statement at present.

MR. W. REDMOND: Is it not the fact that this man was attacked simply and solely because he is a strong Nationalist?

*MR. MADDEN: My information does not enable me to answer that question.

MR. J. O'CONNOR: I beg to ask the Attorney General for Ireland whether he is aware that a flagstaff with a large green flag floating from it has been erected at the head of William O'Brien Street, Tipperary, in the same place where two flags have been recently successively torn down by the police; and why, if the police thought it wrong that the former flags should be placed there, do they permit the present flag to remain?

*MR. MADDEN: The Constabulary Authorities report that it is not the case that the flagstaff has been erected in the same place where those recently removed had been. The present staff has been erected in a field which is private property, and no obstruction to the public way has been created. It has, accordingly, not been interfered with.

MR. J. O'CONNOR: I beg to ask the Attorney General for Ireland whether his attention has been called to the fact

that on the 19th instant, Nicholas Delany, Street Inspector of the town of Tipperary was pushed off the footpath by Sub-Constable Earl, who said, in reply to Delany's remonstrance, "I do not give a damn what you are," and afterwards, when Delany stopped to make some notes in his book, came up to him saying, "I told you before to leave the flags," when Delany was obliged to go on to the roadway; and that three hours afterwards an acting sergeant removed Delany from the street, and subsequently arrested him; whether any charge has been brought against Delany since; and have any difficulties been thrown in the way of his obtaining the name of the policeman who arrested him, with a view of a prosecution?

MR. STOREY (Sunderland): Can a policeman order any man to move on if he is not causing an obstruction or interfering with the due and proper use of the street? Suppose that I am the only person on a footpath, is a policeman at liberty to order me to move on? Have I not the right to remain there if I please?

MR. T. W. RUSSELL: Is it not the fact that groups of persons are in the habit of surrounding particular shops in order to boycott persons who desire to go into them?

*MR. MADDEN: No policeman has a right to interfere with any man in the street unless he is causing an obstruction; but in this case I am informed that the footpath was obstructed, and the persons obstructing it were, therefore, asked to move on.

MR. J. O'CONNOR: May I ask if there is any justification for the insinuation conveyed in the question of the hon. Member for South Tyrone (Mr. T. W. Russell); is it not a common practice for labourers to stand about the streets awaiting hire; and if three or four of such labourers were on the wide footpath would it constitute an obstruction in the estimation of the police and of the authorities?

*MR. MADDEN: The amount of obstruction must be judged by the Police Authorities according to the circumstances. In this case I have no information as to the amount of obstruction.

MR. STOREY: Is the right hon. and learned Gentleman satisfied that in this case there was obstruction?

Mr. J. O'Connor

*MR. MADDEN: I have no means of satisfying myself as to this matter of fact. The police were in the belief that there was obstruction.

FERMANAGH DRAINAGE.

MR. W. REDMOND: I beg to ask the Attorney General for Ireland whether his attention has been called to the resolutions passed at a public meeting held in Derrygonnelly, County Fermanagh, in which, after stating,

> "That the occupiers of land in the valley of the Sillies River, in County Fermanagh, suffer serious loss from sudden floods year after year. That they are willing and anxious to contribute according to their means to the cost of such works of arterial drainage as would remove, or substantially diminish, the evils to which they are exposed,"

complaint is made of the cost of the preliminary expenses imposed on promoters and disproportionate liabilities on landlords, and the attention of Her Majesty's Government is drawn to the necessity for a general measure for promoting and assisting arterial drainage in Ireland; and whether the Government will take any steps in the direction indicated by these resolutions?

*MR. MADDEN: I am not in a position to answer the question, but inquiry will be made.

MR. JASPER TULLY.

DR. FITZGERALD (Longford, S.): I beg to ask the Attorney General for Ireland, in reference to the removal of Mr. Jasper Tully, editor of the *Roscommon Herald*, from Sligo Gaol to Tullamore Gaol, if he can state what is the usual custom in regard to the removal of a prisoner from one gaol to another; and what was the reason for the removal of Mr. Tully in this case?

*MR. MADDEN: I am informed that the usual custom is that in any case where a prisoner's connections or associations with a district are such as, in the opinion of the General Prisons Board, to be calculated to interfere with the due maintenance of discipline in the local prison, his transfer to another prison is made. On this general principle the transfer of Mr. Jasper Tully from Sligo to Tullamore was carried out.

MR. DILLON: This question about the conduct of Magistrates in inflicting short sentences in order to deny to the prisoner the right of appeal has been

frequently raised, and I would ask the right hon. and learned Gentleman whether, as responsible head of the administration of the law in Ireland, he will express an opinion to the Magistrates that they ought not, in cases of a political complexion, to deprive prisoners of the right of appeal?

*MR. MADDEN: I should be going entirely beyond my duty if I expressed such an opinion.

MR. MAC NEILL (Donegal, S.): Is the right hon. Gentleman aware that the applications for increases of sentences are usually opposed by the Crown?

*MR. MADDEN: No, I am not aware of any such usual course.

MR. MAC NEILL: Then I am.

MR. J. F. X. O'BRIEN: Is the right hon. Gentleman aware that the Act was obtained on the express understanding that an appeal should be allowed in every case?

*MR. MADDEN: No.

GLENHEST.

MR. CRILLY (Mayo, N.): I beg to ask the Postmaster General if in April last he received a largely signed Memorial from the inhabitants of Glenhest, Newport, County Mayo, asking that a post office should be established in that district; stating that as many as 160 families would be benefited by the proposed post office, the nearest existing one at present being at Newport, which is five miles away from Glenhest; and if the Postmaster General can now say if he has favourably considered the Memorial addressed to him?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): The subject to which the hon. Member refers has been carefully considered, but it appears that there are only eight or nine letters a day for Glenhest and the neighbourhood, and I regret that the establishment of a post office, as desired, would entail expense quite disproportionate to the Revenme from these letters. Indeed, the postal service to Newport, where the Glenhest letters are called for, already exceeds the entire Revenue.

BELFAST POST OFFICE.

MR. SEXTON: I beg to ask the Postmaster General, with reference to his assurance that length of service would be considered in promotions in the Telegraph Department of the Belfast Post Office, what were the actual periods of service of the officials recently promoted; how many clerks were senior to the promoted clerks in point of service; can he state whether they had satisfactorily discharged their duties, what are their respective periods of service, and why they were passed over; and whether their length of service will constitute an effective claim in case of future promotions in the Department?

*MR. RAIKES: The service of the telegraphists recently promoted at Belfast ranges from eight to 20 years. For promotion from the first class of telegraphists to the class of clerks the number passed over was three; and for promotion from the second to the first class of telegraphists the number passed over was seven. Speaking generally, they had discharged their duties satisfactorily; but these duties were not the duties which they would have had to discharge if promoted, and I was assured that for any higher duties they are not qualified. It was on this account that I felt constrained to pass them over. Their service ranges from 11 to 33 years. Length of service, great as is the weight I attach to it, is not alone a sufficient reason for promotion where the necessary qualifications are wanting. All, therefore, that I can say is that if the officers who have now been passed over should qualify themselves for the higher duties, it will give me great pleasure to promote them as opportunity offers.

POSTAL ACCOMMODATION AT BERKHAMPSTEAD.

SIR JOHN SWINBURNE (Staffordshire, Lichfield): I beg to ask the Postmaster General whether his attention has been called to the want of post office accommodation at Berkhampstead; and whether he will take the necessary steps to meet the growing requirements of that town?

*MR. RAIKES: My attention has been called to the need for a better post office at Berkhampstead, and, the postmastership being vacant, inquiries are now being made with a view to the appointment of some suitable person who is in a position to provide adequate and convenient accommodation for the duties.

FRIENDLY SOCIETIES' CIRCULARS.

MR. FELL PEASE (York, N.R., Cleveland): I beg to ask the Postmaster General if Friendly Societies' circulars to their members, reminding them of arrears of subscriptions, which must necessarily vary as to the amounts therein stated as due, are properly considered as being of "the nature of a letter," and consequently liable to 1d. postage; and, if so, will he propose an alteration in the regulations, which will enable such circulars to go for one ½d. through the post?

*MR. RAIKES: This question has been repeatedly asked and answered during the present Parliament. All circulars are letters, but they are letters which, being sent in identical terms to a number of persons at the same time, are permitted to pass at the book rate of postage. Alterations in the existing regulations have been suggested which would meet the case of the Friendly Societies' notices, and I am at the present time in correspondence with the Treasury upon the subject.

MR. HOWELL (Bethnal Green, N.E.): Will the alteration apply to Trade Societies as well as to Friendly Societies?

*MR. RAIKES: I do not think I ought to anticipate any particulars of a statement I may have to make. But I hope I may be able to do so in a few days.

BETTING TELEGRAMS.

MR. S. SMITH (Flintshire): I beg to ask the Postmaster General whether, although by virtue of the 37 Vic. c. 15, the sending of a telegram with the view of obtaining information or advice with respect to any event or contingency of, or relating to, any horse race, or other race, for the purpose of any bet or wager, is an offence punishable by imprisonment with hard labour for any term not exceeding two calendar months, many such telegrams, the illegal character of which is apparent on the face of them, are daily sent through the Post Office; and whether he will give directions that such illegal telegrams should be stopped?

*MR. RAIKES: The Act 37 Vic. c. 15, does not make punishable the sending of a telegram with a view of obtaining information or advice with respect to a horse race for the purpose of a bet or wager. What it makes punishable is a telegram published with intent to induce any person to apply to a person or to a house or place with a view of obtaining information or advice for the purpose of a bet or wager, or with respect to a horse race or similar contingency. The illegality consists practically in the invitation to bet, or to apply for information with a view to betting, not in the seeking of information or in the betting itself. I am referring, of course, to Section 3 of the 37th Vic. c. 15.

LUNACY.

MR. RANKIN (Hereford, Leominster): I beg to ask the Secretary of State for the Home Department whether it is usual that near relatives of persons found lunatic by inquisition should be appointed acting Committees, whose reversionary interest in the lunatic's property may give rise to antagonistic motives and family differences prejudicially affecting the recovery and welfare of the lunatic and his chance of procuring a supersedeas; and whether a Return of the numbers of any such cases at present existing under the control of the Lunacy Commissioners can be made to this House?

*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (MR. MATTHEWS, Birmingham, E.): I am informed by the Lord Chancellor that it is frequently the case that near relatives of persons found lunatic by inquisition are appointed acting Committees; they are in most cases the best appointments that can be made, and not seldom the only possible Committees. The Masters in Lunacy, and the Judges who exercise jurisdiction in such matters, are well aware of the difficulties naturally inherent in the selection of these Committees, and they are most careful in making the appointments. It would not be desirable, having regard to the delicate personal considerations involved in these cases, to make such a Return as is proposed, but if any particular case should give occasion to doubts in the mind of my hon. Friend as to the welfare of any particular person, full inquiry will at once be made.

PRISON CLERKS.

MR. JUSTIN M'CARTHY (Londonderry): I beg to ask the Secretary of State for the Home Department whether

the Commissioners of Prisons have made known to the clerks serving in Her Majesty's prisons the Report of the Departmental Committee appointed to inquire into their complaints?

MR. LAWSON (St. Pancras, W.) also asked whether the Departmental Committee have recommended that the prison clerks, having paid an examination fee of £3 under the Order in Council of 12th Marth, 1879, shall be placed upon the scale of pay carrying the maximum provided by that Order in Council?

*MR. MATTHEWS: I will answer this question and that of the hon. Member for St. Pancras at the same time. As soon as a decision has been arrived at upon the Report of the Departmental Committee, that decision will be made known to the clerks. The matter has been delayed because complicated and difficult questions arise in connection with any alteration of the status of this particular class of prison officials; but, I hope, with the concurrence of the Treasury, to arrive at a satisfactory solution. The Committee have not made any recommendation to the effect stated by the hon. Member for St. Pancras.

SENTENCES AT THE LONDON COUNTY SESSIONS.

MR. CRILLY: I beg to ask the Secretary of State for the Home Department whether he has seen the report in the *Daily News*, of the 24th instant, of the case of a man named Jones, who was tried before Mr. Warry, Q.C., at the London County Sessions, sitting at Clerkenwell, charged with stealing a purse containing 2s. 4d., and, on conviction, was sentenced by Mr. Warry to 10 years' penal servitude, and from which it appears that the prosecution failed to prove that Jones was seen to take the purse or ever had it in his possession; whether he is aware that the same Magistrate on the following day sentenced another man to 10 years' penal servitude for having stolen an overcoat; and if he will consider the advisability of remitting some portion of this sentence?

*MR. MATTHEWS: I am informed by the Deputy Chairman that the evidence showed that there were three men engaged in the robbery, the third escaping doubtless with the purse, which has not been recovered. The woman who was robbed swore most positively that Jones and a man named Arnold were the men who stole her purse, and the Jury, without hesitation, found both prisoners guilty. The record of previous convictions showed that the prisoner Jones had for the last 18 years been an habitual thief. There were four very experienced Magistrates on the bench, and they unanimously agreed with the Chairman in thinking that 10 years' penal servitude was the proper punishment to inflict, and I see no reason for advising any interference with that decision. The Chairman has not yet placed me in possession of the facts in the case of the man who stole the overcoat. I will in due course acquaint the hon. Member with my decision in that case.

MR. BRUNNER (Cheshire, Northwich): Would the right hon. Gentleman kindly inform the House how much this man is convicted of having stolen in the course of his career, and how long he has been in prison?

*MR. MATTHEWS: He began in 1869 with eight years' penal servitude for stealing a purse. Then followed a number of other convictions, but I have not all the cases with me.

THE WEST HIGHLANDS AND ISLANDS COMMISSION.

MR. FRASER-MACKINTOSH (Invernessshire): I beg to ask the Lord Advocate whether he is aware that much dissatisfaction has arisen, not only from the short and imperfect notices received by the people interested of the visits of the members of the West Highlands and Islands Commission during their recent inspections, but also on account of the flippant manner and hostile cross-examination indulged in when the people appeared to give evidence, or offered to do so; whether it is the fact that large public meetings, particularly in Barra and Harris, have condemned these proceedings of the Commissioners; whether any written instructions were issued to them prior to their visits; and whether he will lay a copy upon the Table of the House?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I am informed by the Commissioners that in every case they sent due notice of their

visit to the places which they visited. Dependent, as they necessarily were some extent, on the weather, they could not always make their definite notices long; and in one or two cases, through the delay of postal communication, the notices did not arrive as soon as they had expected. The Commissioners, however, are not aware of any case in which this prevented their obtaining full information as to the requirements of the locality. They deny that their examination of those who came before them was conducted in either a flippant or hostile manner; but it was of course necessary, in order to arrive at the facts, to test the accuracy of the statements made. I am informed that a meeting was held in Harris, with the result stated, but I have no information as to Barra. Written instructions were given to the Commissioners on their appointment; and there is no objection to laying on the Table a copy of the instructions issued to the Commission.

SCOTCH POLICE SUPERANNUATION BILL.

MR. DONALD CRAWFORD (Lanark, N.E.): I beg to ask the Lord Advocate whether he will circulate a Memorandum explanatory of the Police Superannuation Bill for Scotland before the Second Reading is taken, as was done in the case of the English Bill, with special reference to the estimated cost of the scheme, and the probable amount of the burden on the rates?

*MR. J. P. B. ROBERTSON: The Bill is down for Second Reading to-night, but it will not be taken after 11 o'clock.

MALTA.

MR. SUMMERS (Huddersfield): I beg to ask the First Lord of the Treasury whether the Government have received any information as to the views entertained by the inhabitants of Malta with regard to the proceedings and negotiations of Sir Lintorn Simmonds at the Vatican; whether he is aware that these proceedings and negotiations have excited much angry feeling in the Island, where the proposed project of law is regarded with the greatest disfavour; and whether the proposed measure will be laid before Parliament before it is submitted to the Legislative Council of Malta?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): Malta enjoys an elected Legislature, where the feelings of its inhabitants are constitutionally expressed. HerMajesty's Government are not aware that the agreement with the Vatican has excited angry feeling in the Island; but if it is not approved of by the majority it may be presumed that the Legislature will not pass the Bill, by which effect will be given to certain Articles. It would be inconsistent with the principle of responsible Colonial Government that the Imperial Parliament should review measures about to be submitted to Colonial Assemblies.

FRIENDLY SOCIETIES COMMITTEE.

MR. BRADLAUGH (Northampton): I beg to ask the First Lord of the Treasury what has been the cause of the delay in printing the Report of the Departmental Committee which inquired into the organisation of the office of Chief Registrar of Friendly Societies, and when the Report will be printed?

*MR. W. H. SMITH: I cannot recall that any promise has been made to produce the Report of the Departmental Committee, which is receiving the careful consideration of Her Majesty's Government, and any action taken on it would come under the review of Parliament.

LOCAL TAXATION BILL.

MR. BUCHANAN (Edinburgh, W.): I beg to ask the First Lord of the Treasury whether, in the appropriation of the Scottish share of the fund under the Local Taxation (Customs and Excise) Duties Bill, he will endeavour to meet the views of the large majority of Scottish Members of all parties, and reserve a sufficient sum to free all the standards in the State-aided Schools in Scotland?

MR. SEXTON: I have also to ask the right hon. Gentleman whether the Government, having regard to the evidence of Irish opinion afforded by the introduction of the Agricultural Labourers (Ireland) Bill now before the House, and the proceedings upon that measure, will appropriate the unallotted balance of Ireland's share of the Local

Taxation (Customs and Excise) Duties, in aid of the provision of dwellings for Irish agricultural labourers, upon the principles indicated in the Bill?

*MR. W. H. SMITH: I can only repeat that the Government are considering the whole subject; but I am not yet in a position to give any pledges.

MR. SEXTON: I beg to give notice that if any attempt is made to use Ireland's share of the money, not for local purposes, but for ordinary Imperial purposes, the proposal will be opposed.

MR. STOREY: May I ask whether among the projects of the Government is included the project of putting an end to the enhanced duty on beer and spirits?

*MR. W. H. SMITH: The suggestions which the Government have received on the subject are almost as numerous as those received by the Chancellor of the Exchequer when he was about to bring in his Budget. All the suggestions are receiving the consideration of the Government. I am not able to say when I shall be able to announce the decision of the Government.

MR. SEXTON: When may I put a further question?

*MR. W. H. SMITH: I am unable to say at present.

INDIAN COUNCILS BILL.

MR. BRADLAUGH: To what day does the right hon. Gentleman the First Lord of the Treasury propose to postpone the Indian Councils Bill?

*MR. W. H. SMITH: Monday next.

SILVER COINAGE.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the Chancellor of the Exchequer how many silver coins there are in the Bank of England ready for circulation in addition to the 3,660,000 shillings and 3,000,000 sixpences stated to be there; if any more are being coined; whether any officials in the Mint have a pecuniary interest in the Birmingham Mint; and whether the recent Colonial order for silver and bronze was executed at Birmingham; and, if so, can he explain why?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): Apart from the large number of shillings and sixpences, there is at the Bank of England at this moment not less than £178,000 worth of silver coins ready for issue, and the number of pieces cannot be less than 1,500,000, while the coinage of silver is still proceeding at the Mint. As regards the execution of Colonial orders by a private company at Birmingham, the Deputy-Master of the Mint is always most anxious that the Mint should be able to cope with any demands that may be made upon it; but the continued and excessive requirement for Imperial coin has recently obliged the Mint to refer two Colonial orders to Birmingham. Colonial orders are only placed in the hands of this private company when it is absolutely impossible for the Royal Mint to undertake them. I have heard to-day with much regret a fact which was unknown to the Deputy-Master before, that two officials of the Mint hold some shares in the Birmingham company. This ought certainly not to be.

CUSTOMS' CLERKS.

MR. KIMBER (Wandsworth): I beg to ask the Chancellor of the Exchequer whether there are retained in the Statistical Office of Her Majesty's Customs clerks of nearly 40 years' service, and between 50 and 60 years of age, who are willing to retire on the usual compensation terms; and whether, in view of the fact that the retirement of these clerks would give facilities for the promotion of meritorious redundant clerks in that office who have been waiting nearly 10 years for their promotion, and that the revision of the office has been pending for three years, during which time all promotion has been stopped, the Treasury will facilitate such a settlement of the office by consenting to the pensioning off, on suitable superannuation allowances, of those who may be willing to retire?

MR. JENNINGS (Stockport): Is it not the fact that a Royal Commission has absolutely condemned the further payment of compensation or "abolition" terms for retirement in order to secure preferment, and has urged that in future promotion should wait until vacancies occur?

MR. GOSCHEN: To the second question put by the hon. Member for Stockport (Mr. Jennings) I have to reply in the affirmative. In answer to the hon.

Member for Wandsworth, I may say that there are several clerks of long service and between 50 and 60 years of age in the Department, two of whom have applied for permission to retire on "compensation" terms. If the suggestion of the hon. Member that such officers should be pensioned off "on suitable superannuation terms" means the grant of "compensation" or "abolition" terms, I can only refer him to the answer I gave the other day explaining that the House had decided against "abolition" terms, and that the Royal Commission on Civil Establishments had taken the same view. The Government can, of course, only carry out this decision.

STATISTICAL DEPARTMENTS OF THE CUSTOMS.

MR. JOHN KELLY (Camberwell, N.): I beg to ask the Chancellor of the Exchequer whether he will state the date at which the final Report of the Board of Customs upon the impending re-organisation of the Statistical Department was received by the Treasury; whether any further progress towards a final settlement of the matter has been made since that date; and whether he will state if the scheme will be completed and put into operation before the end of the present Session?

MR. GOSCHEN: The Report of the Board of Customs on the re-organisation of the Statistical Department was sent to the Treasury on May 8. The scheme involves a reduction of staff, and I am not able to pledge myself to any date when it will be in full operation; but this and several other questions relating to the Customs Department are, as the hon. Member knows, being considered at the Treasury.

SAVINGS BANKS BILL.

MR. JOHN ELLIS: I beg to ask the Chancellor of the Exchequer whether, before or when moving the Second Reading of the Savings Banks Bill, he will give the names of the persons to be appointed under the First Schedule of the Bill?

MR. GOSCHEN: The position of the matter is as follows: I propose to appoint three gentlemen who would represent the Trustee Savings Banks and officers, and three others, probably Members of this House, together with a seventh gentleman, who will be a Government accountant. I am rather reluctant to ask hon. Members to serve until I know that the Second Reading of the Bill will be accepted by the House. I am willing to show the hon. Member the lines on which I propose to proceed.

MR. HOWELL: When will the Bill be taken?

MR. GOSCHEN: I am unable to answer that question.

LAND PURCHASE (IRELAND) BILL.

MR. SEXTON: I wish to ask the right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith), or the Chancellor of the Exchequer (Mr. Goschen), with reference to Section 7 of the Land Purchase Bill, which proposes to provide £40,000 for Ireland, what steps he proposes to take in order to secure that Ireland shall have, this year, a sum proportionate to that given to England and Scotland?

MR. GOSCHEN: Will the hon. Gentleman give notice of the question for to-morrow?

ADULTERATED FOREIGN BUTTER.

MR. LANE (Cork Co., E.): I beg to ask the Secretary to the Treasury whether the Customs officers have taken any steps to detect the importation of adulterated foreign butter; and, if so, at what ports, and with what results?

A LORD OF THE TREASURY (Sir H. MAXWELL, Wigton): I understand that no samples of butter have been taken by the Commissioners of Customs for analysis, no specific information having been received by them as to the importation of adulterated butter fraudulently marked. I have, however, brought the question before the Commissioners, and they will be prepared to have samples taken if they have sufficient reason to suppose that adulterated butter is being imported under fraudulent marks.

FRIENDLY SOCIETIES.

MR. HOWELL: I beg to ask the Secretary to the Treasury whether he can state to the House the total number of Friendly Societies in the United Kingdom, the number registered and the estimated number unregistered, the total number of members, the aggregate amount of the funds, and the estimated amount expended in benefits in the year

1888, and the total income and total expenditure for that year?

SIR H. MAXWELL: As regards registered Friendly Societies, I am informed by the Chief Registrar, with whom I have been in communication, that it would be impossible without very great labour and expense to supply particulars for 1888 as to the total number of members, the aggregate amount of the funds, and the estimated amount expended in benefits. The Registrar has no means of ascertaining or estimating the number of unregistered Societies, still less any other figures respecting them.

MR. HANBURY (Preston): I beg to give notice that I will call attention to this question on the Estimates.

DUBLIN DEEDS OFFICE.

MR. MURPHY (Dublin, St. Patrick's): I beg to ask the Secretary to the Treasury why it is that deeds cannot now be registered as heretofore on the day they are presented at the Registry of Deeds Office, Dublin, but must be left in the comparing room and called for next day, and then produced in the Registration Office; and as this entails an additional attendance on solicitors, and encumbrancers and purchasers are liable to lose priority owing to this new procedure, he would explain to the House what was the reason for its adoption?

SIR H. MAXWELL: I am informed by the Registrar that there has been no change of practice or regulation. Deeds are now, as heretofore, registered on the day they are presented to the Registrar, but they cannot be presented to him until they have been duly compared as the law requires. Where deeds are brought to the Office late in the day, it is sometimes impossible to complete the work of comparison before the Office is closed, but in such cases the deeds left over have precedence the next day, and if they are found to be correct they are presented to the Registrar and registered on the same day.

CONVICTION FOR COMMON ASSAULT.

MR. BRADLAUGH: I beg to ask the Attorney General whether he can now say whether, in the case of the conviction for common assault at Dewsbury, on 9th June, the prosecution was against a man arrested by a policeman on the charge of indecently assaulting two mill girls; whether the girls were directed by the police to pay, and did pay, in addition to the Magistrate's Clerk's fees of 17s., a further sum of 5s., for the attendance of a witness; whether, in proceedings for such offences, the law provides for compensation to prosecutors; and whether there is any enactment making prosecutors in such a case liable for Justice Clerk's fees and compensation to witnesses?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): In answer to the hon. Member, I am informed that, when arrested, the man in question was charged with indecent assault, but that, at the hearing before the Justices, he was convicted of a common assault only. The prosecution was not undertaken by the police, except in so far as they were acting for and at the request of the girls themselves. The girls were liable for the fees of the Justice's Clerk, and they paid them, and also the expenses of one witness, which amounted to 5s. No objection was made by them to such payment. In the case of a common assault, when the defendant is summarily dealt with and not committed for trial the law does not allow the costs of the prosecution to be paid out of the rates, as in the case of felony. The liability to pay the fees of the Justice's Clerk rests on the authority of decided cases, and upon the information before me I am of opinion there was also the liability to pay the expenses of the witness.

*MR. BRADLAUGH: The arrest having been made on a charge of indecent assault, how is it that the police gave an intimation that unless the girls were prepared to pay the costs of the prosecution the case would not go on?

*SIR R. WEBSTER: I am not responsible for the existing state of the law. If a prosecutor, in these circumstances, insists on going on he is responsible for the costs. I am informed that the girls in this case expressed their intention to prosecute.

*MR. BRADLAUGH: In consequence of the answer I have received, I beg to give notice that I will direct attention to the matter on the Estimates.

KING JA JA.

MR. W. REDMOND: I beg to ask the Under Secretary of State for Foreign Affairs whether the Government will consider the advisability of allowing King Ja Ja to return to Opobo?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The question is now under consideration.

MR. W. REDMOND: When is it likely that a decision will be arrived at?

*SIR J. FERGUSSON: I am unable to say more than that the question is under the consideration of the Colonial Authorities and the Authorities upon the Coast.

THE ANGLO-GERMAN AGREEMENT.

MR. MUNRO FERGUSON (Leith, &c.): I beg to ask the Under Secretary of State for Foreign Affairs whether, under the arrangement with Germany, and in the event of the Damaraland Protectorate being extended further north than is shown upon the map, the German sphere of influence can spread eastwards across the Leeba or Zambesi River?

SIR J. FERGUSSON: The German sphere of influence fixed by the Agreement gives access to the Zambesi, but does not extend beyond that river.

ANTI-SLAVERY CONFERENCE.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I beg to ask the Under Secretary of State for Foreign Affairs when further Papers in reference to the proceedings of the Anti-Slavery Conference will be laid upon the Table; what action the Government propose to take to carry out the recommendations agreed on by the Conference; and whether the House will have the opportunity of discussing them?

*SIR J. FERGUSSON: The Papers will be laid before the House as soon after the conclusion of the Conference as possible. The measures requisite to carry out the recommendations of the Conference have not yet been decided upon, but will receive early consideration. There will, no doubt, be opportunities for discussion when the Papers have been laid.

LIME AND ANIMAL MANURE.

MAJOR RASCH (Essex, S.E.): I beg to ask the President of the Board of Agriculture whether it is necessary to mix lime with the manure of animals landed in Essex, which destroys its fertilising properties, when by inspection the animals have been found before and after slaughter to have been perfectly healthy; and where the manure of animals found to be diseased is at present destroyed?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): In reply to the last paragraph of the question, I am informed that the usual method of disposing of the manure of diseased animal at the ports has been to carry it out to sea and throw it overboard. With regard to the manure of animals landed at foreign animals' wharves—*i.e.*, where they are slaughtered—it is very desirable to have it thoroughly disinfected. In the case, however, of animals landed at foreign animals' landing places, whence the animals are allowed to pass into the country, the hon. Member's question, I think, deserves consideration; and while I will not pledge myself to any alteration in the present system, I have directed inquiries to be made as to the necessity of disinfecting the manure in such cases for the future.

SALE OF INTOXICATING DRINK IN INDIA.

MR. SAMUEL SMITH: I beg to ask the Under Secretary of State for India whether his attention has been called to a proposal on the part of the Indian Government to establish an outstill for the sale of intoxicating drink on a tea plantation in the Western Dooars; whether he has read the protest of the owners of the plantation, Messrs. Octavius Steel & Co., dated Calcutta, 30th April, 1890, in which they state—

"That nothing has so retarded the progress of the district as the spendthrift and degraded habits directly due, as we believe, to the facilities forced on the people for the obtaining of liquor from Government stills;"

whether, despite this protest, a requisition has been made from the Revenue Department for a piece of ground measuring about six acres, "for the purpose of an outstill and a Government

market;" and whether, considering the vote of censure passed by the House of Commons last year on the Government of India for stimulating drunkenness by developing the outstill system, the Secretary of State for India will intimate his disapproval of this fresh attempt to force outstill on a reluctant population?

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The attention of the Secretary of State was called to the subject some time ago by the Foreign Missions Committee of the Church of Scotland, and he has since been furnished by the hon. Member with a copy of the letter of protest. The Secretary of State is not aware whether a still has been, or will be, established. The matter has been referred to the Government of India for Report.

EDUCATION OF BLIND AND DEAF MUTES.

MR. WOODALL (Hanley): I beg to ask the Vice President of the Committee of Council on Education when the promised Bill for the Education of the Blind and Deaf Mutes in England and Wales will be introduced?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The Bill will shortly be introduced in another place; but its progress this Session will depend upon the state of business, and whether its provisions prove generally acceptable.

INDEPENDENT CHAPEL CHARITIES, TIVERTON.

MR. BRADLAUGH: I beg to ask the hon. Member for Penrith (Mr. J. W. Lowther) whether the Charity Commissioners have yet come to any decision in the matter of the appointment of new Trustees to the Independent Chapel Charities, Tiverton, or if he can state the cause of the delay?

MR. J. W. LOWTHER (Cumberland, Penrith): An appointment of new Trustees purported to have been made under the provisions of 13 and 14 Vict. c. 28 (Peto's Act); but the matter appeared to be of so contentious a character that it was doubtful whether the powers of the Commissioners would enable them to deal with it effectually. If, however, a sufficient application should be made for an appointment under the Charitable Trusts Acts the Commissioners would use their best endeavours to settle the questions at issue between the contending parties.

THE DEFENCES OF THE AUSTRALASIAN COLONIES.

SIR JOHN COLOMB (Tower Hamlets, Bow): I beg to ask the Secretary of State for War whether there is any objection to furnishing the House with the Report of General Edwards on the Defences of the Australian Colonies, and the reply thereto from the War Office?

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The Report referred to will be presented to Parliament; but it will first be necessary to communicate with the Governments of the Australian Colonies on the subject.

CRIMEAN AND INDIAN VETERANS.

MR. EDMUND ROBERTSON (Dundee): I had intended to ask the Secretary of State for War whether his attention has been called to the necessitous circumstances of many of the veterans who served in the Crimean War and Indian Mutiny; and whether he can now promise any measures for their relief? but, at the request of the right hon. Gentleman, I beg to postpone the question until Monday next.

THE ZAMBESI RIVER.

SIR JOHN SWINBURNE (Staffordshire, Lichfield): I beg to ask the First Lord of the Admiralty whether, considering the great importance of the Zambesi River as a means of opening out the trade in the eastern portion of South Africa, he will take immediate steps to have all the mouths of that river thoroughly surveyed by one of Her Majesty's ships?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): One of Her Majesty's surveying ships is now on her way to the Zambesi, with orders to survey the mouths of the river.

SOMERSET DOCK, MALTA.

SIR JOHN SWINBURNE: I beg to ask the First Lord of the Admiralty whether, with the exception of the cost

of the plans and designs, any money had been spent upon the Somerset Dock at Malta before the correspondence and plans relating thereto were presented to Parliament; and, if not, whether he will follow this precedent, and give the House, in the case of the proposed Graving Dock at Gibraltar, an assurance that no money will be spent upon it until the Papers and plans relating to it have been placed in the Library, or have been laid upon the Table of the House?

LORD G. HAMILTON: My answer to the first question is in the negative. In reply to the second, I cannot give an assurance of the character the hon. Gentleman requires, though I should not propose to commence the works without the assent of Parliament.

BRITISH AND FOREIGN NAVIES.

ADMIRAL MAYNE (Pembroke and Haverfordwest): I beg to ask the First Lord of the Admiralty whether, before the discussion on the Shipbuilding Vote, he will inform the House what, if any, changes have taken place in the shipbuilding programme of other European Powers since the number of vessels of all classes required to make the British Navy equal to that of any two Foreign Powers was decided on; and, if so, whether provision is being made to maintain that proportionate superiority?

LORD G. HAMILTON: The projected additions to Foreign Navies do not disturb the calculations on which the shipbuilding programme embodied in the Naval Defence Act was framed, namely, that in 1894 the British Navy in fighting power will be equal to a combination of any two Navies abroad.

ADMIRAL MAYNE: Will the noble Lord give the figures on which he bases his statements?

LORD G. HAMILTON: In the French and Russian Navies the following vessels have been commenced since the passing of the Naval Defence Act: in France, four coast defence ironclads, two armoured second-class cruisers, and one torpedo cruiser; in Russia, two ironclad battleships. On the other hand, in France the construction of one first-class ironclad projected last year has been abandoned; and in Russia two armoured cruisers and two sloops which were originally projected have disappeared from the programme.

Sir John Swinburne

THE COURSE OF BUSINESS.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): I would like to ask whether the House may anticipate from the First Lord of the Treasury some statement on the course of business to-morrow, or on some early day?

*MR. W. H. SMITH: I hope to make a statement on Thursday next.

LOCAL MARINE BOARDS.

Return ordered—

"Of the Names and descriptions of the Members of all the Local Marine Boards (for each Port separately), distinguishing, as far as possible, those Members who do not own ships, or shares in ships, from the others.—(*Mr. Fenwick.*)

BANKRUPTCY BILL.—(No. 1.)

Bill reported from the Standing Committee on Trade, &c.

Report to lie upon the Table, and to be printed. [No. 266.]

Minutes of Proceedings to be printed. [No. 266.]

Bill, as amended by the Standing Committee, to be taken into Consideration to-morrow, and to be printed. [Bill 362.]

ARMY FORTIFICATIONS AND GUNS.

Address for—

"Return showing the amount of money spent on Fortifications and on Guns for them since the recommendations of the Commission of 1859."—(*Admiral Mayne.*)

NEW MEMBER SWORN.

James Rochfort Maguire, esquire, for County of Donegal (North Donegal Division).

SELECTION (STANDING COMMITTEES.)

Sir JOHN MOWBRAY reported from the Committee of Selection: That they had discharged Sir Edward Harland from the Standing Committee on Law, and Courts of Justice, and Legal Procedure, in respect of the Housing of the Working Classes Acts Consolidation Bill, and Housing of the Working Classes (Amendment) Bill, and had appointed in substitution: Sir James Corry.

Report to lie upon the Table.

MESSAGE FROM THE LORDS.

That they have passed a Bill, intituled "An Act to further improve the Administration of Justice in the Court of Chancery of the county palatine of Lancaster." [Court of Chancery of Lancaster Bill [Lords.]

And, also, a Bill, intituled "An Act to extend the provisions of 'The Factors Act, 1889,' to Scotland." [Factors (Scotland) (No. 2) Bill [Lords.]

INLAND REVENUE REGULATION (RE-COMMITTED) BILL.—(No. 255.)

Bill considered in Committee, and reported; as amended, to be considered To-morrow.

ORDERS OF THE DAY.

BARRACKS BILL.—(No. 234.)

Bill, as amended, considered.

Clause 6.

(4.43.) SIR G. CAMPBELL (Kirkcaldy, &c.): I have already expressed my views on this subject in Committee, and should not have done so again if it had not been for the fact that this matter came on at the dinner-hour in Committee, and that this clause—which is a very important one—was called on directly after the Chairman had returned from tea, there were not half-a-dozen Members in the House, and though a count was moved, a special and somewhat unusual circumstance prevented the House being counted. A little discussion took place between the Chancellor of the Exchequer and myself, and, though I was supported by a large number of Members on a Division, I think it only right now to give other hon. Members who were not present an opportunity of discussing this important subject, if they are inclined to do so. I am inclined to think that this Bill is the most important one Her Majesty's Government are likely to pass this Session. It involves a large amount of money, and settles the policy of the country as to localisation of the Forces; but the Government have tried to slip it through with very little discussion. The Second Reading was taken on a Friday night before the holidays; and it was brought forward in Committee at the dinner-hour, and on Friday last Her Majesty's Government tried to take it without Debate, after 12 o'clock, which was not allowed. I trust that to-day the right hon. Gentleman the Member for Wolverhampton and several other Members will avail themselves of the opportunity of making some observations. The Bill enables Her Majesty's Government to borrow £4,000,000, not this year but in years to come, so that the matter is to be taken out of the control of Parliament. I will not raise the question as to how the money is to be disposed of, as I did in Committee.

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I rise to order. I wish to ask if the hon. Member is speaking to the question, which is Clause 6.

SIR G. CAMPBELL: I am only submitting to the House why I will not raise again the questions I raised under Clauses 4 and 5. Clause 6 is a clause which enables the Government to borrow money in future years, if they should require it. This year they are to spend £300,000 out of the surplus of the year. I have no objection to this being spent on barracks, and if it is employed in taking up land at Aldershot for the purpose of establishing camps of exercise it will be beneficial; but I object to power being given to the Government to borrow money, not because they do require it, but because they "may" require it. That seems to me an altogether un-constitutional proceeding, which has been condemned in former years—a system of cooking the accounts for the purpose of making them look better than they are. I beg to move the omission of this clause, in order that if other hon. and right hon. Gentlemen choose to take note of the matter, they may have an opportunity of doing so.

Amendment proposed, "To leave out Clause 6."—(*Sir George Campbell.*)

Question proposed, "That Clause 6 stand part of the Bill."

(4.52.) MR. SHAW LEFEVRE (Bradford, Central): This affords an opportunity of raising a protest against the policy of borrowing £4,100,000, at a time when a much larger sum is being paid off for reduction of debt.

(4.52.) THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I do not know whether the right hon. Gentleman has fallen into the same error as the hon. Member who preceded him. This year we are not borrowing at all. When the hon. Member says we are borrowing, and at the same time paying off debt, he forgets that that does not apply to the present year, and that it is only a hypothesis as to coming years.

(4.53.) MR. SHAW LEFEVRE: It does not apply in the present year; but that only strengthens my argument as to future years, because you propose this year, when you are paying £400,000 for barracks out of the surplus, to borrow money for use in future years.

MR. GOSCHEN: Take power to borrow.

MR. SHAW LEFEVRE: Yes; and that altogether irrespective of the amount of debt paid off during the year, or of the amount of the Revenue. I called attention in the Budget Debates to the expenditure in the present year as compared with the amount provided in the Estimates for the Army and Navy, but I received no answer from the right hon. Gentleman the Chancellor of the Exchequer. It seems to me he cannot be aware of the figures I called his attention to. A Return which was given to the House a short time ago, on my Motion, shows that no less than £6,800,000 will be expended in the present year over and above the Army and Navy Estimates, making a total expenditure for the year of £38,321,000, a larger sum than has ever been spent before in this country when the country was not actually at war. Of that £6,800,000, £4,570,000 is to be borrowed, and it, therefore, seems to me that at the time the Chancellor of the Exchequer came before the House and announced his surplus of £3,500,000, there really was no surplus at all, but a deficit of about of £1,500,000. I must protest altogether against this system of borrowing whilst you are paying off debt. It enables the Chancellor of the Exchequer to claim a surplus when there is practically no surplus at all. I believe the proposals in the clause to be thoroughly unsound finance. They disguise altogether the real expenditure of the country,' and I believe the true and the wisest course would have been to have provided for the expenditure within the year only, so that the House and the country might know what the real expenditure will be. I doubt whether the total sum of £4,100,000 will be expended in less than eight or nine years. We have to erect barracks over many parts of the world—at Bermuda, Gibraltar, Malta, Ireland, and other places, and I doubt whether the work will be finished in less than eight or nine years. It would be possible, by spreading the cost over such a period, to provide £300,000 or £400,000 a year to meet it without taking these borrowing powers.

Question put, and agreed to.

An Amendment made.

MR. E. STANHOPE: I do not know whether the House will allow this Bill to be read a third time. It is very desirable that the measure should pass as soon as possible.

*MR. SPEAKER: As it is a Money Bill it would not be proper to take the Third Reading on the same day as the Report stage.

Bill to be read the third time to-morrow.

ELECTIONS (SCOTLAND) (CORRUPT AND ILLEGAL PRACTICES) BILL.—(No. 243.)

As amended considered.

A Clause (Prohibition of Disqualified persons from Voting,)—(*The Lord Advocate,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

(5.2.) MR. CALDWELL (Glasgow, St. Rollox): With regard to this Amendment, I wish simply to ask a question. According to Sub-section 3, if the Provost of a town or the Convener of a county is guilty of a corrupt practice he loses the office of Justice of the Peace. I wish to ask whether he will still remain Provost or Convener? If the offence is sufficient to justify his being removed from the Commission of the Peace, it surely should be sufficient to remove him from the position of Chief Magistrate or Convener.

(5.3.) THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): In the case of a Lord Provost, if he is unseated he ceases to be an Alderman or Councillor, and therefore vacates his seat as Provost. The same thing applies to the Convener of a county.

Question put, and agreed to.

Clause added.

Clause (Hearing of person before he is found guilty of corrupt or illegal practice, and incapacity of person found guilty,)—*The Lord Advocate*,)—brought up, and read the first and second time.

(5.5.) MR. CALDWELL: The Lord Advocate will notice that a person who is not a candidate may be Provost or Convener. That being so, if he is guilty of corrupt practices, he will be deprived of the Commission of the Peace, but will still remain Provost or Convener. I beg to move, in line 36, to leave out "by which" and insert "that." The clause as it stands provides that if it appears to the Election Court by which any licensed person is convicted of the offence of bribery or treating—

"That such offence was committed on his licensed premises, the Court shall direct such conviction to be entered in the proper register of licences."

This is taken from the English Act, and is quite proper from an English point of view; but in Scotland it is the individual who is licensed and not the premises. That being so, it is always a matter of inquiry on the part of the Justices what is the character of an applicant for a licence. If the applicant has been guilty, say, of an assault outside his premises, the Justices take that into consideration in reference to his application. In this particular case it can make no great difference whether the offence is committed on the licensed premises or not. If my Amendment be agreed to, I shall propose, subsequently, the omission of the words "that such offence was committed on his licensed premises." The effect of this would be that the fact of a man having been convicted of the offence of bribery would be entered upon his certificate and considered by the Justices when they came to deal with the question of his licence. If a man has been guilty of bribery, whether on his premises or not, that fact ought surely to be made known to the Justices who have to deal with his licence. In Scotland licences are repeatedly refused on the ground that offences have been committed off the applicant's premises.

Amendment proposed, in line 36 of the Clause, to leave out the words "by which," and insert the word "that,"—(*Mr. Caldwell*,)—instead thereof.

Question proposed, "That the words 'by which' stand part of the Clause."

MR. J. P. B. ROBERTSON: The common ground upon which hon. Gentlemen opposite and the Government have proceeded is to make this Bill simply an adaptation to municipal elections of the law of bribery and illegal practices which prevails as to Parliamentary elections. That is our definite object, and accordingly I must decline, even in a comparatively small matter, to enlarge the law or to introduce any new disqualification in the case of municipal elections, which does not apply to Parliamentary elections. I do so on the ground that the intention is to assimilate the law in the case of municipal with that of Parliamentary elections; and if I were to accept such an Amendment as this, it would make alterations in the law and open the door wide to all sorts of proposals which were not made in the Grand Committee, where it was explained that the sole desire was to assimilate the law.

Question put, and agreed to.

Clause added.

Amendments made.

MR. CALDWELL: I beg to move, *pro formâ*, the omission of "his," in Clause 10, page 5, line 15, and the insertion thereof of "the." Under Clause 10 there are two offences, which, unless they are committed with the knowledge of the candidate, shall not void the election; but by Clause 12 it is provided that, where an illegal practice has been committed by a candidate or his agent, the election is to be void. The two cases under Clause 10, in which the fault of the agent shall not cause the election to be void, are—

"If any person votes or induces or procures any person to vote at an election, knowing that he or such person is prohibited, whether by this or any other Act, from voting at such election, he shall be guilty of an illegal practice."

And then—

"Any person who, before or during an election, knowingly publishes a false statement of the withdrawal of a candidate at such election, for the purpose of promoting or procuring the election of another candidate, shall be guilty of an illegal practice."

Then the clause goes on—

"Provided that a candidate shall not be liable, nor shall his election be voided, for any illegal practice under this section committed without his knowledge and consent."

I propose by this and the next Amendment to add after "consent," "of himself or of his agent." If you do not introduce these words, the effect will be that, under Clause 12, the election may be voided on minor illegal practices, whereas, under Clause 10, the election would only be voided if the major illegal practices were committed with the knowledge of the candidate.

Amendment proposed, in page 5, line 15, to leave out the word "his," and insert the word "the,"—(*Mr. Caldwell,*)—instead thereof.

Question, "That the word 'his' stand part of the Bill," put, and agreed to.

Other Amendments made.

MR. CALDWELL: On Clause 20, I have an Amendment on the Paper to insert, after "premises,' in line 5, the words—

"The premises of any public elementary school in receipt of an annual Parliamentary grant, or any part of such premises."

I do not wish to persevere with the Amendment, and will only say I think it is very important that the School Board should not have power to grant the use of a State-aided school for the purpose of a Committee Room of one political Party. If the Amendment I have placed on the Paper were adopted, public meetings could not be held in public schools. That, of course, is not my object; because, in many places, the public school is the only place where a meeting can be held. But it is one thing to hold a public meeting in a State-aided school and another thing to convert such a school into a private Committee Room. It would save a great deal of heart-burning if we declared that a school may be used for the purpose of public meetings at which all the ratepayers are present, and yet not used as the Committee Room of any particular candidate.

MR. J. P. B. ROBERTSON: I will consider the point.

Amendment proposed,

In Clause 41, page 22, at the end of line 39, insert, "Provided that where the police assessment which can be levied in any burgh is limited, an addition to that assessment may be levied for the purpose of raising the sum required to pay such expenses."—(*The Lord Advocate.*)

Question, "That those words be there inserted," put, and agreed to.

MR. J. P. B. ROBERTSON: This Bill has the support of both sides of the House, and, therefore, I beg to move that it be now read the third time.

Motion made, and Question, "That this Bill be read the third time,"—(*The Lord Advocate,*)—put, and agreed to.

Bill read the third time, and passed.

EDUCATION CODE (1890) BILL.

(No. 222.) COMMITTEE.

Bill considered in Committee.

(In the Committee.)

Clause 1.

*MR. RANKIN (Herefordshire, Leominster): I should like to impress on the Vice President of the Council the desirability of lowering the standard of exemption in evening classes. In Herefordshire we are making great efforts to bring about manual and technical instruction, and I should be sorry if so many scholars were left out as I fear they will be. If the Vice President cannot see his way to reduce the standard from the fifth to the fourth clause altogether, he might introduce a clause providing that it should be the standard of exemption of the particular school which should regulate the exemption of the child entering the evening school.

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): My hon. Friend and myself have together considered this point in one or two ways. I am not sorry he has raised the point, though it is impossible for me to accede to his wishes. If these

proposals of ours are as successful as we hope they may be, very soon the schools to which the hon. Gentleman alludes will be able to get their children into so forward a state that they will easily attain Standard V. I promise that while we are trying this new venture, I will carefully keep in mind all my hon. Friend has said.

Clause agreed to.

Clause 2.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I do not think any one wishes to oppose this clause, and I only rise to enter my *caveat* against the further infringement of the 17s. 6d. limit, which insists, in regard to voluntary schools, that there shall be a certain amount of voluntary subscription against the Government grant. We have some alarm on this subject, inasmuch as we are aware that the hon. Member for Wigan (Mr. F. S. Powell), has withdrawn his Bill, and we understand that he withdrew it in consequence of satisfactory assurances he received from Her Majesty's Government. If these satisfactory assurances tend to the abolition of the 17s. 6d. limit it will be our duty to oppose such relaxation.

Clause agreed to.

Clause 3 agreed to.

Bill reported, without Amendment.

Bill read the third time, and passed.

WESTERN AUSTRALIA CONSTITUTION (RE-COMMITTED) BILL.—(No. 256.)

COMMITTEE.

Bill considered in Committee.

(In the Committee.)

Clause 1.

(5.30.) SIR GEORGE CAMPBELL: I think we have been rather hardly used in respect to this Bill. We find it sometimes high, sometimes low, in its position on the Paper, and we have never known when it was really coming on. When the hon. Member for Northampton (Mr. Bradlaugh) asks when the Indian Councils Bill is going to be taken he is promptly told when the Bill will not be taken, but this Western Australia Bill, which proposes to give away half a continent, after being set down continually at the tail of Government Bills, now comes on rather too early, and I doubt if many Members expected it. However, we must make the most of it. I have already proposed to postpone Clause 1, but the Government would not agree to that, and I was not allowed to discuss the merits of the clause on a Motion for postponement. I suppose now we shall have to pass the clause, but, at the same time, seeing that it has a very strong bearing upon the much more important Clause 3, I should like to make a few of those observations from which I was precluded on the Motion for postponement. This clause confers what is called responsible government on the Colony of Western Australia, and to understand the bearing of the clause a short recapitulation of the history of the origin of this Bill is necessary. Western Australia is, as colonies go, rather an old colony, but there have been no discoveries of gold there; a great part of the country is covered with forests, and the colony has made but slow progress, and at this time there are but 40,000 people occupying a territory equal to all Europe, excluding Russia, an area of 1,060,000 square miles. Most of the population are in one little spot of the country about Perth and Freemantle. It has self-government to some extent, an Elective Council, but with a Crown Executive. It is not a free Government as regards the disposal of land, the land rules are subject to the control of the Secretary of State, and so also are loans if the colony wishes to raise such. The late Governor is in favour of the change, but he gave evidence hardly in that direction, for he told us the existing Constitution had been extremely successful, upon which I am not prepared to express an opinion. Sir Napier Broome also told us it was in the nature of an oligarchy. But this was the subject of an Amendment moved a few days ago. The proposal now is to hand over vast territories, hitherto Crown property, to the unlimited control of a small clique in these two large villages of Perth and Freemantle. Until the last two or three years the people were content with the present system, a little short of free government; until the colonists of Perth had a quarrel with the Colonial Office, the Secretary of State

having made some difficulty about some extravagant loan, and having refused to give the colonists powers to relax the land rules for a particular concession, as to which I may have to say more upon Clause 3. The result was that the Council who, until the other day, did not want responsible government, under the circumstances of this quarrel, petitioned Her Majesty for self government, and, though a large number of the population petitioned against it, we are now told that most of them have changed their minds. I do not know how this may be, but that all have not changed their minds is evident from the strong opinion of the late Attorney General, which the hon. Member for Northamptonshire has quoted, and the evidence of the Member for Albany, who was one of the delegates from the colony, shows that opinion is not unanimous, by any means. Albany is the south-west district, which contains some of the best land, though Albany still is a small place. I have a letter from the late Member for Albany, in which he says though in the north the colonists are bent on securing responsible government, in the south they are not in favour of it in the shape represented in the Bill. I feel justified in saying that the Western Australians are not unanimous on the subject. A good many objections are suggested, besides that which was disposed of the other night. In the first place, government will be in the control of a small clique at Perth, who will use their power for raising loans for the benefit of Perth, and concessions over vast and almost unknown territories will be sold to companies formed for the purpose. I am somewhat suspicious about these enterprises. I was reading the other day, in an Australian newspaper, an article, in which the effect of this Bill was anticipated in the acquisition by the Government of the Midland Railway of Western Australia. So people are induced to invest in unsuccessful undertakings in the expectation that the new State will buy up the undertaking at a premium. We know how railways and canals in India have been forced upon the Government, a Government much stronger than this is likely to be. I am, therefore, somewhat apprehensive of a system of jobbery under this new Constitution, and inclined to the view of the late Attorney General, Mr. Hensman, that control will be exercised in the interests of a few squatters, not of the whole colony. This question arises more particularly in relation to the acquisition of Crown lands under Clause 3. Then comes the question of control over the natives. We could not get from witnesses any approximation of how many natives there are, because, the fact is, the country is unexplored. It is certain there are considerable numbers of them in the North-West. Many have been tamed, and in the course of examination of witnesses, I elicited the fact that at some of the stations the proportion of natives is 20 to every white man, and we may assume that there are large numbers of natives in the unsettled territory. It is a question how far we should give unlimited control over the native population to a small clique of people at Perth. We were told in Committee that the natives were not used badly, as had been the case in Queensland, because they were utilised; but I confess I have some apprehension that, when home control is removed, the scenes in Queensland may be repeated in West Australia. There are considerable reasons why we should hesitate in handing over control of enormous territory to a small number of people. Be it remembered the people of Perth will not have responsible Government unless they have complete control over the land, insisting upon a condition that is not recognised in the United States nor in Canada. When the Bill was projected in 1889, we know what a strong feeling was evoked against the Government rashly giving away enormous territory, and reservations of land were made for colonisation purposes. Then Delegates were sent over, an ex-Governor was induced to support the demand, and a heavy canvass was instituted and newspapers have been converted to approval or induced to maintain silence. The Colonial Office never can resist colonial demands, and so we have the Bill re-introduced without the reservations it originally embodied. On the Second Reading great diversity of opinion was expressed. Strong doubts were expressed as to the propriety of the proposal, and the Bill was sent to a Select Committee, and this Committee proved pro-colonial, and struck out the reserva-

tions the Government had inserted. The Under Secretary did not attempt to defend them; he surrendered with a light heart, and so we have the Bill granting, without reserve, entire control to a small knot of people at Perth. This clause, I suppose, is bound to pass; but I have still grave doubts if Clause 3 will be allowed to pass in its present shape. I hope the Committee will remember that the colonists have themselves said that the whole Bill is contingent upon the passing of Clause 3, upon which, I trust, there will be a thorough discussion.

(5.50.) MR. MUNRO FERGUSON (Leith, &c.): I hope the clause may speedily pass; but, while it is under discussion, I would ask the Under Secretary for some explanation in regard to what seems to me to be a somewhat important point which was raised in Committee. I do not think I need go into the question as a whole, but I may say I refer to the question of Import and Export Duties as affecting the West Coast. The matter was brought out in Committee, and, so far as I can judge, the position of the Colonial Office was that foreign vessels engaged in the fisheries would be subject to the same duties as vessels under the British flag. I have also heard it said that this contention has been withdrawn, and, at any rate, I do not think it is a position that can be maintained. Matters should continue as they are, and discrimination should be made between the British flag and foreign flags. Under the Federal Councils Bill power was granted and delegated in turn to Western Australia, and Western Australia has been allowed to extend her local Fishery Acts to waters beyond territorial limits. Now that we are dealing with Western Australia alone, I do not see why the colony should not accept what seems to be a fair contention that National and Colonial Maritime Law should follow on parallel lines. I shall be glad if the Under Secretary will give us some information on the point.

(5.52.) SIR R. FOWLER (London): I confess I have some sympathy with views expressed against granting unlimited control over the Crown lands to this small population; but, seeing the unanimity with which the other Australian colonies support the proposal to give Western Australia a free Constitution, it seems to me the House has only one course to pursue—to pass this Bill. Upon this ground I support the Bill.

*(5.53.) THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): I do not propose to follow the arguments of the hon. Member for Kirkcaldy, because I might almost say he has given us a third edition of this Second Reading speech. The Committee have heard the hon. Member's remarks repeated many times, and no doubt have weighed his words of wisdom. I have had the additional advantage of hearing his speech in the proceedings of the Committee over which I had the honour to preside. There are, however, one or two points that ought to be noticed. The hon. Member assumes that the Bill originated among a small clique of persons at Perth.

SIR G. CAMPBELL: I said they had the Government in their hands.

*BARON H. DE WORMS: That is a mere assertion not sustained by any evidence. The Legislature of Western Australia passed this Bill, and I do not know in what way the hon. Member is justified in the assertion that the Bill is the result of the action of a small clique at Perth.

SIR G. CAMPBELL: I said it was passed by a majority of the Council.

*BARON H. DE WORMS: And how should it be passed? I fail to see the logic of the hon. Gentleman's argument. Then the hon. Gentleman said this demand for responsible Government arose out of some dissatisfaction with the Colonial Office. That statement is utterly without foundation, and the hon. Member would never have made it if he had taken the trouble to read the Blue Books. I know he does read them sometimes, because he favours us with copious extracts. The movement originated many years back, and at the commencement it had no encouragement from the Colonial Office. It had no connection with the Colonial Office; it was a spontaneous movement in the colony to obtain that government which exists in the other Australian colonies. Then the hon. Member went into the old, the oft-repeated story that this demand does not come from the people of the colony, and he gave us what he thought a convincing piece of evidence—a letter from the ex-

Member for Albany. Well, that gentleman did not think his view of sufficient importance that he should come over and support it by evidence, and in that course I think he exercised a wise discretion. He wrote a letter to the hon. Member, in which he expressed a wish that the colony should be divided in a manner different from that proposed in the Bill, and that a new colony should be formed, and called Albania. Further, the hon. Member for Kirkcaldy said the hon. Member for Northamptonshire had brought forward strong evidence of opinion against the Bill, and quoted Mr. Hensman. I am not aware that Mr. Hensman is a great authority, but again I say, if he were the exponent of the views of a large number of people, they would have found means to send him here to give evidence.

SIR G. CAMPBELL: I never said that he represented the opposition to the Bill. I said that he, with others, opposed it.

*BARON H. DE WORMS: But the hon. Member agrees with the hon. Member for Northamptonshire.

*MR. CHANNING (Northampton, E.): I never said that Mr. Hensman opposed the Bill. I said Mr. Hensman wished to see the Bill carried; but he thought there were serious defects, which he pointed out to me while he was in England, and, afterwards, in a letter he urged me to represent these and protest against them. But I did not represent that he was opposed to the granting of a responsible Government.

*BARON H. DE WORMS: I am glad to accept the hon. Member's explanation, against the evidence quoted by the hon. Member for Kirkcaldy, in support of his argument against this Bill. I place the views of the Western Australians, expressed through the mouths of their own Delegates, in favour of the Bill against the vague statements of the hon. Member for Kirkcaldy, and I am justified in saying that they absolutely refute them. I hope the hon. Member, having discharged what he considers his conscientious duty, will allow the Bill to proceed, and will not, until some point is reached connected with the question of land, again review the principle of responsible Government, which was affirmed when the House gave a Second Reading to the Bill. With regard to the question raised by the hon. Member for Leith respecting the pearl fisheries, the Act dealing with them is not an Act of Western Australia, but of the Federal Council, and, therefore, Western Australia has no power to rescind it or deal with it in any way whatever. I hope the hon. Member will accept that explanation as satisfactory.

(6.3.) MR W. A. MCARTHUR (Cornwall, Mid. St. Austell): I cannot, for the life of me, see how anybody professing Radical opinions in this House, or who votes for Home Rule for Ireland, or desires the spread of Local Self-Government throughout the Empire, can continue to oppose this Bill in face of the unanimous feeling of the colony in favour of it. This Bill has been passed by a Representative Assembly, and proposes to give Home Rule to the Colony of Western Australia; it is backed up by all the other Australian Colonies; how, then, can hon. Members on this side justify their action in continuing to oppose it? If there are objectionable provisions in the Bill, these concern nobody but the people of Western Australia. We surely ought to keep our fingers out of their pie, and leave them to make the necessary alterations.

*(6.5.) MR. T. H. BOLTON (St. Pancras, N.): I can assure the hon. Member who last spoke that there is no desire on the part of Radical Members criticising this Bill to oppose the extension of representative Government in Western Australia, but I contend there is mixed up with the Bill much that is not essential to the principle of self-government. The people of Western Australia ask not only for the management of their own affairs, but the control of a vast unpopulated territory. This is a Crown Colony with a certain admixture of representative Institutions.

*BARON H. DE WORMS: The hon. Member is absolutely in error; it is not a Crown Colony at all, but has representative Government.

*MR. T. H. BOLTON: That statement is hardly borne out by the evidence of the witnesses as contained in the Blue Book.

*BARON H. DE WORMS: I can only repeat that it is not a Crown Colony at all.

SIR G. CAMPBELL: There is a Crown Executive.

*MR. T. H. BOLTON: What, then, is the necessity for this Bill, if the colony has already full and complete representative Government? If the Bill simply proposed to make complete an incomplete system of representative Government, it would meet with no opposition from these Benches. But to transfer the Administration of the vast unpopulated territory I have referred to uncontrolled to the Local Legislature is to abandon Imperial interests.

THE CHAIRMAN: Order, order! The question of the control of the land is not before the Committee at the present stage.

*MR. T. H. BOLTON: Of course, I bow to your ruling. There is no objection to giving Local Government in itself, but the difficulty is the proposal to deprive the Imperial Government of that control over the land which we desire the Imperial Government to possess.

THE CHAIRMAN: Order, order! The second consequence does not attach to the first; one may be granted and not the other.

*MR. T. H. BOLTON: But we are told that the Bill will be practically defeated unless Clause 3, vesting the management and control of the waste lands in the Legislature of the colony, is passed. The right hon. Gentleman the Member for Newcastle told us we must pass the Bill in its entirety, or reject it.

MR. J. MORLEY (Newcastle-upon-Tyne): I was referring to the scheduled Bill.

*MR. T. H. BOLTON: That is not the view of the Delegates themselves. From their evidence I take it that it is quite within our competence to revise the arrangement. We have no desire to take up a hostile attitude towards the West Australians in dealing with this question. We want them to understand that our wish is to give them full self-government; but, at the same time to preserve our Imperial interests. The hon. Member for North Fermanagh expressed surprise that Metropolitan Members should venture to oppose the Bill, seeing that they are not interested in Western Australia.

MR. W. REDMOND (Fermanagh, N.): I beg the hon. Member's pardon. I expressed surprise that he should have spoken of what was being done by the right hon. Gentleman the Member for Newcastle in promoting this Bill as a manœuvre.

*MR. T. H. BOLTON: I am glad to accept that explanation. I did not, of course, use the word as conveying the idea that it was anything discreditable. I referred to the modes in which this Bill was being got through Parliament as a Parliamentary manœuvre, and I wished to convey that by the course adopted we were not having full Debate on the Imperial principle underlying the measure. The word "manœuvre" was not used in any offensive or unpleasant sense, and I certainly should be sorry to accuse the right hon. Gentleman the Member for Newcastle of anything in the nature of a trick. If all the Australian colonies are backing up the claim of Western Australia, I suppose we are practically powerless; but I think we are justified in criticising the proposal and suggesting modifications which the good sense of the Australian Colonists ought to induce them to consider favourably. The Bill undoubtedly places in the hands of 44,000 people an enormous unoccupied territory which has hitherto been considered by the people of this country as a national domain, and surely these colonists cannot be surprised at our seriously considering such a proposal.

(6.17.) MR. J. MORLEY: Of course, I understood when my hon. Friend the Member for North St. Pancras used the word "manœuvre," that he uttered it in its Party sense. However much inclined we may be to look at this question from a large Imperial point of view, we must, at the same time, regard the limits of our competence in dealing with the matter. The hon. Member for Kirkcaldy, on a recent occasion, read to the House a clause of the Statute of the 25th & 26th Vict., which he said imposed upon the Government of Western Australia the obligation of submitting constitutional changes to the final judgment of the House of Commons. The hon. Baronet read the 1st section of the Act, but he omitted to read the second, which specially exempts Western Australia from the operation of the first. Some hon. Members have pointed out that some of the restrictions in the scheduled Bill to which they object have been carried

over the heads of a majority of the elected Members of the Council. That is quite true; but what has happened since? Mr. Parker, the leader of the Radicals in the Western Australia Council, was examined before the Select Committee, and what did he say? Did he say that he would like to defer the establishment of responsible Government in Western Australia, and to postpone this Bill until the franchise should be accurately adjusted to his ideas? On the contrary, he said—

"You will pardon me for saying that I do not think it is the province of a Committee of the House of Commons to alter the franchise and the property qualifications of Members. I have not the slightest doubt that as soon as we have this constitution, the property qualifications of Members will be altered, and that the franchise will be, at any rate, very much reduced, if we do not have actual manhood suffrage."

The same witness also said explicitly of the people in the colony who are in favour of the removal of the restrictions, "They are quite satisfied with this form of responsible Government at present." It is said sometimes that Mr. Parker and his friends do not represent the real opinions of their constituencies. To that argument the Members of the Opposition in this Committee ought not to attach much weight, for they know how little force the same argument has when applied, as it sometimes is, to hon. Members from Ireland. Although 86 Members for Ireland sit on these Benches, we are told that they do not represent real Irish opinion. We have heard a good deal about our "lofty Imperial connections." Well, if we wish to preserve those connections you must grant Local Government. To withhold it will be the shortest way to destroy that lofty Empire by which hon. Members claim to set so much store. It has been suggested that the Bill should be delayed until the colony has assented to the restrictions which hon. Members wish to impose. But the Committee should remember that despatch in this case is vital. The Colonial Agents have represented to the First Lord of the Treasury that all business in Western Australia is suspended because the people do not know what constitution they are going to have. There has been a complete deadlock in the colony for months. Why? Because the House of Commons, overladen, overburdened as it is with work, has not had time to attend to the colony's affairs. Further delay would be most deplorable, and those who have Imperial interests at heart will not cause such delay.

(6.23.) DR. CLARK (Caithness): We are quite satisfied that the Vote should now be taken. We are not going to wreck the Bill because we cannot get what we want. A large number of us are strongly in favour of the principle of the Bill; but, at the same time, we think it rather hard that the colony should have thrust upon it by officials appointed by the Crown a bad franchise qualification, which will put the power in the hands of the land jobbers. As the House is against us, we will, as far as we can, assist in passing the Bill, although, personally, I believe that some of its provisions are adverse to the interests of the colony.

(6.25.) SIR T. ESMONDE (Dublin Co., S.): I hope that the Committee will pass the clauses of the Bill as quickly as possible. I regret to say that the Liberal Party have not too good a name in Australia; and if further opposition is shown to the Bill, they may fall into still greater disrepute. I trust that now no frivolous objections will be made to the measure. We must look at the principle underlying it. No doubt there are some provisions which we, as Radicals, cannot approve. Nevertheless, the Bill is an expression of the wishes of the colonists, and I think we are bound to accept it. We are told that we are making a great mistake in handing over the land to these 40,000 people. But who could be better qualified to deal with it than those who live in the country itself. A great amount of the capital of New South Wales and Queensland has already been invested in the land of Western Australia; and when the Bill has been passed, there will, I expect, be a large influx of population into the colony. We are also told that if we refuse the colony this power over the land, the people will not care about the rest of the Bill. I can easily understand that that would be the case, because the land is the main thing which concerns the colony. The only means by which it can prosper is through the development of the natural resources of the country, and, therefore, I, for one, am most anxious to give the

inhabitants full control over the land. We are told we must preserve great Imperial interests in the colony. The best way to do that is to conciliate the sentiment of the people, and you can attain that end by giving them the form of government they desire. The Australian colonies unanimously desire that this Bill should be passed, and I think the House will be well advised to agree to it.

(6.30.) MR. FLYNN (Cork, N.): I do not wish to be misunderstood in regard to my position in this matter, and I desire, therefore, to say that my hon. Friends and myself do not wish to obstruct the Bill. On the contrary, I am strongly in favour of it; but I object to the interpretation that has been put upon our action. The hon. Gentleman who has just sat down has spoken of our raising frivolous objections, and has accused us of being opposed to the principle of the Bill. I say we have not raised frivolous objections, and we are not opposed to the principle of the Bill. Indeed, rather than the Bill should be lost I would withdraw what further objections I have to it, and assent to its passage. What we strove to do on Thursday night was to ensure the amendment of the Bill, so as to bring the franchise more into conformity with the notions and wishes of the Australian people. We desire that every honest man working for his living in Western Australia, or who goes there with that intention, should have some share in the management of the colony and the distribution of its lands. My idea was, that we should arrange a kind of *quid pro quo*, and that in giving the West Australian people entire control of the land north of the 26th degree of latitude the colony would be only too anxious to strike out all qualifications as to elected members, in conformity with the wishes expressed in this House. Therefore, I strongly protest against anyone, even the right hon. Gentleman the Member for Newcastle (Mr. Morley) or any other Member sitting above the Gangway, saying that our objections are frivolous, and that we are opposed to the principle of the Bill—a principle which I certainly hope to see adopted in all the colonies.

*(6.33.) MR. F. S. STEVENSON (Suffolk, Eye): I think it most desirable that this Bill should not be rushed through Committee; but, at the same time, I think that the grounds given for the position taken by the hon. Member for Kirkcaldy are somewhat out of date. The position of affairs is this. We are at the present moment face to face with the fact that a strong Committee—one of the strongest ever appointed by this House—sat and heard witnesses, and presented a Report on this subject, while, on the other hand, we have from the whole of our Australian colonies expressions of opinion which seem to be unanimous in favour of a measure of this kind, whereas, if objections were to be taken to the placing of so large an area of land under the control of some 40,000 persons, they might have been expected to come more naturally from the Australian colonies than from this country. We have had a sort of discussion between the hon. Gentleman the Member for St. Pancras and the right hon. Gentleman the Under Secretary for the Colonies as to whether Western Australia is a Crown colony or not. I think that, after all, this is merely a matter of words. No doubt, in a strict legal sense, Western Australia is not a Crown colony; but, at the same time, there is so large a nominative element in the Constitution of the colony that it may be called a Crown colony compared with other colonies which are in the enjoyment of full responsible government. Therefore, it comes to this, that we must either keep Western Australia under its present form of government, or introduce such a system of government as will be in accordance with Australian ideas, and the express wishes of the great majority of the people of Australia. One point that has been raised has had regard to the expressions of opinion on the part of the majority of the electors of Western Australia in reference to the electoral franchise; but that has been fully dealt with in connection with the Amendment of the hon. Member for East Northamptonshire, and, with regard to other points in the Bill, I do not think it can be seriously contended that there is any strong body of opinion in Western Australia that is really opposed to the present measure. There are only two alternatives open to the House. One is that it should leave Western Australia to its present form of government, and the other is that it should introduce such a system of go-

vernment as is in accordance with Australian ideas and the expressed wishes of the people of Western Australia. Now, for my part, it appears to me that those are the only two courses open to us, and although we might carry out the reservation of a certain proportion of the territory, so that it should not be placed under the control of what is at present the small population of Western Australia, yet in practice it would, I think, be found that the difficulties would be so serious as to render such a course undesirable, because it might bring about a state of things similar to that which now exists in Southern Africa. You might have a Government of Western Australia which would be a responsible and Constitutional Government, and yet at the same time might be——

THE CHAIRMAN: The hon. Member is anticipating the discussion on Clause 3.

*MR. F. S. STEVENSON: I have no desire to anticipate the discussion on that clause. I was only endeavouring to answer the argument put forward by the hon. Member for Kirkcaldy, and endeavouring to show the desirability, if possible, of passing the Bill in its present form, because if any serious Amendments, such as that which he proposes, were introduced they might have the indirect effect of causing difficulties similar to those with which we have now to contend in South Africa. I would now simply urge on the Committee to do what it can to carry out the principle of governing Australia in accordance with Australian ideas. The hon. Member for Kirkcaldy has referred to the question of railway policy, and has suggested that railways might be laid down and canals constructed for the purpose of being bought by the State, but if he entertains objections to State interference on these matters the same objection might be urged against the action of all the other colonies.

SIR G. CAMPBELL: I do not object to the system.

*MR. F. S. STEVENSON: I am glad to hear that my hon. Friend does not object to that system, because it has hitherto been found to work well; although in the United States of America you have, undoubtedly, development of the railway system by means of companies and so forth, in Australia they have adopted the principle of State construction and purchase of railway property, and that system has been found so beneficial that there is no reason for resisting its further development. So far as the question of any refusal to carry out the provisions of this Bill is concerned, a similar refusal might have been suggested with regard to Queensland. No doubt the Queenslanders have committed great blunders, but will any hon. Member get up and say that those errors would have been committed if a responsible Government had been granted to Queensland. The question is one which ought to be regarded from a broad point of view, namely, in regard to the best interests of the people, whose wishes on this subject ought to be consulted.

(6.52.) MR. W. REDMOND: If I understood that the hon. Baronet the Member for Kirkcaldy did not intend to push this Amendment to a Division, there would be no necessity for any observations on my part, but I desire to offer a word or two on a point which I think may not be without some weight in this discussion. I was one of those who had an opportunity of observing the gentlemen who were sent over from Australia to give evidence with regard to this Bill. I heard that evidence, and assisted in the examination of the witnesses on the Colonisation Committee upstairs, and I remember that when those gentlemen were questioned as to the merits of Western Australia as a field for emigration, they were perfectly unanimous in the statement that the prospects of that part of the world as a field for emigration would be immensely improved by the passage of this Bill. In fact, when a question was raised as to why Western Australia was so backward in population, the opinion of those witnesses was almost completely in the direction that the small population of Western Australia was due to the fact that people would not go to a colony which did not enjoy responsible self-government. I do not think there is the slightest difference of opinion in regard to the principle of this Bill. The hon. Member for Kirkcaldy compared the principles of this measure with the system at present existing in Western Australia. I do not propose to go into the question whether Western Australia is a Crown Colony in

the sense in which we generally regard a Crown Colony, but I am certain there is no Member in this House, certainly not on the Liberal Benches, who will venture to say there is the slightest comparison in the system it is now proposed to confer on Western Australia with the system under which the people are living at the present time. There is, no doubt, a great deal of objection to the restricted franchise under this measure. There may be a certain amount of legitimate objection to placing vast areas of land under the control of the Western Australian Legislature. But on those two points, and on those points alone, is there any room for any material difference of opinion. We on this side all object to the restricted franchise, and there may be objections on our part to hand over the vast territory of Western Australia to the Western Australian Legislature; but neither of those points affects the question as to whether Western Australia is entitled to this measure, or as to whether the people would not be much better off under the proposed Constitution than under the existing system. I, for one, have not the slightest doubt that the restricted franchise would not long be maintained in Western Australia. Nor have I the slightest doubt as to the fact that there would be no jobbery in connection with the land of Western Australia. Why do I say this? Because I know that each of the Australian colonies is enthusiastically in favour of this measure. The Australian colonies are as democratic and as radical as any States in the world, and I am certain that the fact that all the colonies are in favour of this Bill may be taken as a proof that this is really, even with the restricted franchise, a democratic measure, and one which certainly ought to be acceptable to the Liberal Members of this House. I know that the hon. Member for Kirkcaldy himself would be, but for these ideas of a restrictive franchise, the last to object to a form of self-government in Western Australia over which the people had the sole command. If there were any real opposition to this Bill its opponents would have done something more than merely send a letter to an hon. Member, in order that he might read it to this House. Had the Member for Albany, whose letter has been read by the Member for Kirkcaldy, really represented any great body of public opinion in Western Australia, we may feel sure that, as a Member of the Legislative Council, he would have felt compelled to take much stronger action than he has taken in sending that letter to the hon. Baronet. I trust the Australian people may be gratified by the news to-morrow that this Bill has been passed by the British House of Commons.

*(6.45.) MR. CHANNING: Sir, I had not wished to take part in this Debate, and should not have done so but for what fell from my hon. Friend the Member for Cornwall. I should wish to see the Bill passed. I have raised the special point in which I was interested, and the House has decided it. But my hon. Friend took upon himself to lecture the Radical Party, and to say that we opposed giving Home Rule to the colony. That, I think, was somewhat out of place. The action which I suggested on Thursday was with the view to giving real Home Rule to Western Australia—to give effect to their views as represented in the Blue Book. To say that this Bill represents the exact wishes of the people of Western Australia is simply to fly in the face of the facts contained in the Blue Book. I would point out that there is no reason for the attack on those Members who supported my Motion, and for saying that they desired to delay the Bill. This clause authorises Her Majesty's Government to issue an Order in Council to assent to the Schedule of the Bill. The proposal the other night was to delay this Order in Council—not to have the Bill re-introduced—until the wishes of the inhabitants of Western Australia were really carried out in the Bill. These could then have been registered in an amended form of the Scheduled Bill. I sincerely hope the discussions on this Bill will result in the people of Western Australia being encouraged to strive to get what is their wish, free from those restrictions which really prevent the people having the Government which they have decided upon by an immense majority.

*(6.48.) MR. A. M'ARTHUR (Leicester): I hope the result of this discussion will be to gain universal assent to this Bill. I recollect perfectly well a similar discussion which arose

in the New South Wales Parliament, of which I was then a member, in reference to Queensland. Similar arguments were then used to those we have heard to-night. The matter was seriously considered, and after a long Debate it was decided that Queensland should be a separate colony. Ever since Queensland has increased rapidly, and it now occupies a very important position. I have no hesitation in saying that if Queensland had continued part of New South Wales, its development would not have been so rapid as it has been. I believe a similar result will follow the giving of a Constitution to Western Australia. I have no hesitation in saying also that I would freely give the Western Australians all they have asked for in this Bill. I would give them entire control of the land. It would be wise, too, that some provision should be made by which the funds to be raised for emigration from this country to Western Australia should be at the disposal of the Government of that colony. I make this suggestion because I know that in the colonies of New South Wales and Victoria immigration is opposed by the working classes, who are under the belief that an increased population means increased competition. The result has been that for years past it has been exceedingly difficult for the Governments of those Colonies to get any sum passed for the purposes of promoting immigration. I, therefore, think that the sum raised for the purpose should be at the disposal of the Western Australia Government, and with that condition I very heartily and cordially support the Bill.

(6.52.) MR. LABOUCHERE (Northampton): I suppose we must accept this Bill in its entirety, or throw it out. It certainly does appear to me a very strange system that a Bill should be submitted to a Committee of this House with the object and intention that it should examine each particular clause, and that then we should be told that we cannot possibly make a single alteration in the Bill. We are told that this Bill bears the *imprimatur* and assent of the inhabitants of Western Australia, but, from what I can gather, it appears that it has in no sort of way received their assent. How can we know here what is the view of persons in the Antipodes, unless we hear what the elected representatives of the Western Australians say and think, both against the high qualification and the nominated Legislative Council? I do think that we ought to register a protest against the action of Her Majesty's Government in not having taken means to ascertain clearly the view of the Western Australians and laid it before this House. We ought to declare to the Western Australians that we only pass this Bill because, as my right hon. Friend the Member for Newcsstle and others have said, if we do pass it the Government of the Colony will be so democratic that it will sweep away the nominated Legislative Council and the high qualification. Having these objections, we pass the Bill on the distinct understanding that the inhabitants of Western Australia must be made aware of them.

*(6.55.) MR. CHILDERS (Edinburgh, S): Perhaps the House will allow me for a minute or two to trespass on its time. I am reminded by the proceedings of to-night of the Victoria Constitution Act, which formed, like this Bill, a Schedule to an Act of Parliament passed nearly 35 years ago. The Bill was passed in 1855, and in some respects it was a more liberal measure than the present, because it provided for an Elective Upper Chamber, In the colony there was, however, much controversy about the high qualification, and, having been one of those who drafted the Bill, I wished that it had been in this respect more liberal; but I may remind the House that as soon as the Bill was passed and responsible Government was in full swing in the colony, in a few years the objectionable features of the enactment in this respect were removed. I would venture, therefore, to suggest that the Bill be passed as it stands, trusting to the Legislature formed under it that they will also, within a few years, make all the constitutional Amendments now proposed to us.

(6.58.) MR. DILLON (Mayo, E.): I am entirely in favour of passing the Bill. At the same time I think the right hon. Gentleman has supplied one of the strongest arguments in favour of our amending the Bill at once. It is true that in New South Wales and Victoria the provisions as to franchise contained in the

Scheduled Bills were subsequently altered, but only after a struggle which, if it be an exaggeration to say it verged on civil war, was of the most suspicious and gravest possible character. We ought certainly, after such an experience, to sweep away from this Bill the causes of a similar agitation, for such agitations ought always to be avoided as far as possible. But it is an unfortunate fact that the results of the unfortunate features in the Bills for New South Wales and Victoria have not been entirely removed. Those who were elected under the high franchise sold to each other land at £1 and £2 an acre, which is now worth £20 and £30 an acre. It is one of the burning questions in the Legislatures of New South Wales and Victoria how to undo an evil which is the direct offspring of the unfortunate features of those Bills. The present Bill should avoid the evils experienced in New South Wales and Victoria. However, we have been defeated in the Divisions we have challenged, and, as we are told that it is not within the sphere of our power without doing further mischief to delay the passing of the Bill, I am in favour of passing it. I desire to give full power to Western Australia, and I only regret that it has not been in our power to give more power. I cannot agree with the hon. Member for Wexford that there will be no jobbery in the land question in the colony. Before the Radical Party there can remove this high franchise I believe that valuable lands will be handed over to the individuals who promote this Bill. In my experience and in my study of the Australian colonies there are three degrees of badness in regard to the administration of the lands. The worst is, when they are managed from the Colonial Office, the next worst is when they are managed by a nominated Council in Australia, or a Council elected on a high franchise, and the best of the three is when you have—as you have in Victoria and New South Wales—an honest Democratic Government, where the working men can make their voices heard. But as we cannot give to the colonists of Western Australia the powers which are enjoyed by the working classes of Victoria and New South Wales, and South Australia—powers which have turned these countries into perfect paradises for the working man—by all means let us, at least, lift them from their present condition, and put an end to the abominable system of managing these affairs from the Colonial Office, and give them that liberty which it is in our power to give. Aided by the experience of the southern colonies their agony may be less brief than it would otherwise be, and in the course of two or three years the people may win for themselves that wider franchise which it seems we are not to be able to give

*(7.5.) MR. MORTON (Peterborough): I object to this clause, because I object to the qualification of the Members of the Assembly. I am not so strongly against that as I am against the qualification of the electors, and the qualifying period. They have adopted in the Scheduled Act all the bad qualities of our own electoral franchise in this country, and which we are now trying to get rid of. We are told we cannot get this altered. I do not agree with that at all. The right hon. Member for Newcastle told us that they need not come to this House at all with regard to the Scheduled Act, but he went on a little further and told us why they had come to us, and it was, he said, because they wanted to get possession of the land. That is so, and I hold that when they came to us wanting something, we should make conditions. If we do not do it now we may not be able to do it at any other time. I cannot agree that time would be lost if we do not pass the Bill in its entirety at the present moment, because an Amendment has been suggested which will make it necessary to go back to the Legislative Council before the Bill can be passed. ["No, no!"] Then I do not understand what I have read. On page 1, line 10, the Bill says—

"That it is expedient that Her Majesty be authorised to assent to the said Bill, subject to an Amendment thereof as to the pension of the Attorney General."

So that they ask us to insist on an alteration in the scheduled Act before the Queen assents to it. I say, therefore, if we have to go back to the colony to consider one Amendment, surely we may ask them to consider other Amendments. I cannot concur in the view that by the attitude we are taking up

we are not in favour of Home Rule. There is no one more strongly in favour of Home Rule than I am, and no one more strongly in favour of the policy laid down by the right hon. Gentleman the Member for Mid Lothian, which is to trust in the people; but I object to the principle laid down by the right hon. Gentleman the Member for Newcastle, that we should trust in one-half of the people. We have heard from the hon. Member for East Mayo as to the difficulties other Australian colonies have experienced in getting bad laws altered, and I can tell you of the difficulties that have been met elsewhere. A somewhat similar bad law was passed when you gave a Constitution to Upper and Lower Canada in 1840. The arrangements for the representation of the people went on all very well whilst Upper Canada had the smallest population, but by 1850 there was a larger population in that part of the Colony, and immediately there began an agitation to get this bad law altered. The Tories resisted the demand for alteration, and it was not until 1867, when the Federation Scheme was adopted, that a settlement was finally arrived at. Every one who has had any experience of colonial life—as I have—knows that when you commence with your Constitution you should do so fair and straight. Let your laws be as good as you can make them, and put the management of affairs into the hands of the people, and not into those of speculators and the monied classes. We can give the people of Western Australia the management of their own affairs now without any trouble whatever. I do not object to the colonists having the management of their lands; but let us see if we cannot induce the colonists to make such laws as would put the Government into the hands of the people.

*(7.12.) MR. WODEHOUSE (Bath): With regard to the anxiety expressed by the hon. Member for East Mayo, to save the colonists of Western Australia from those Constitutional struggles which other Australian colonies have gone through in endeavours to liberalise their Constitution, I would point out to him that the other Australian colonies are apparently satisfied with the Constitution contained in the scheduled Bill. This fact ought to re-assure hon. Members, because it is admitted that the Governments and institutions of the other Australian colonies are thoroughly democratic. Indeed, I believe that if the Constitution contained in the scheduled Bill were altered by this House, it would be resented by those other colonies as an undue interference in work which properly belongs to Western Australia itself. I would also remind the hon. Member for East Mayo that at the time when the efforts of which he speaks were made to liberalise the Constitutions of the other colonies, Australia did not contain that great body and volume of democratic opinion which now prevails there; and we may depend upon it that as soon as this Bill conferring responsible Government on Western Australia comes into operation, that Colony will be more and more pervaded and governed by the general democratic sentiment and opinion of Australia. There is no reason, therefore, to fear that the democratic feeling of Western Australia will be checked and thwarted, either in regard to electoral rights and privileges or the disposal of waste lands.

(7.15.) MR. MUNRO FERGUSON: The question of fisheries is dealt with in Sub-section 15, and I should like to ask whether the colony of Western Australia has not the right to withdraw restrictions upon the fishing in waters outside the territorial waters? The right hon. Gentleman led us to infer that an Act of the Federal Council could not be withdrawn except by the Act of that Council. So far as I can make out from reading the measure, the Legislative Body of Western Australia would have power to allow these restrictions to lapse. This is a matter which affects the relations between the Mother Country and the colonies, and should therefore be raised in the House. The discussion seems to me to prove how entirely unfit the House of Commons is to control Australian affairs.

*(7.17.) BARON H. DE WORMS; As regards extra-territorial waters, Western Australia will have no power whatever to alter what has been done by the Federal Council. Of course, within territorial waters Western Australia will have such rights.

(7.17.) MR. HALDANE (Haddington): I should like to know whether the Federal Council has conferred powers upon Western Australia to legislate for extra-territorial waters?

*BARON H. DE WORMS: No; certainly not?

(7.18.) SIR G. CAMPBELL: I should be sorry to put the House to the trouble of a Division, though I do not like the clause.

Clause agreed to.

Clause 2 agreed to.

Clause 3.

(7.20.) SIR G. CAMPBELL: Though we could not alter a scheduled part of the Bill without withdrawing the section altogether we can alter Clause 3, and I hope the House will consent to do so. This clause is the real crux of the whole question. We desire the colony to have popular government, but we object to its governing people and territory which do not belong to it. We are asked to hand over to a handful of colonists 1,600,000 square miles of territory—a tract as large as the whole of Europe, with the exception of Russia. The Prime Minister has advised the people to study large maps. I wish people would take that advice. The Under Secretary for the Colonies is careful never to give large maps either to the House or to the Committee. He gave us a very small map indeed of Western Australia. [*Cries of* "No."] I should think his map of this enormous territory was about 20 inches square. The result is that people do not understand, and I do not think the right hon. Gentleman himself understands, what an enormous territory this is. The right hon. Gentleman talks of the southern portion of the reserve as the "South-Western corner" of Australia. I think I may give the House some notion of what that South-Western corner is when I say it equals the size of the United Kingdom, France, and Germany all put together. The question is, whether all the land in this great territory is to be given over to a small number of people? It is said it would not be possible to give the people self-government without giving them the land; but in all parts of America the States that got self-government did not get the land, and the control of the waste lands rests with the Central Government alone. Inasmuch, however, as it has been the custom to give the Australian Colonies the land, I should be willing to give Western Australia land enough to make a reasonable colony, but I do object to give them this enormous territory. I admit that the objections to the proposal are chiefly negative. Why should you be in such a hurry to give the land away? I admit that the great question of colonisation has exercised the minds of many people in this country. The Chairman of what is called the Colonisation Committee, the Earl of Meath, asked officially to be allowed to give evidence before the Committee upstairs.

*BARON H. DE WORMS: He did not ask that. He asked whether we wanted his evidence.

SIR G. CAMPBELL: Well, he asked whether we wanted his evidence, and we refused it. There were one or two witnesses we did not have, and, at the instance of the Under Secretary, they were not called. The clause was rushed through the Committee. [*Cries of* "Oh!"] Well, I withdraw that. This question of colonisation is a very important question. I am one of those who believe the time has not come for exporting our people forcibly, or for spending very large sums upon emigration. But I believe the time is coming when the population of this country may very much press on our resources. Mr. Giffen and others have told us that not only this country but other countries, including the United States of America, are rapidly filling, and that there is a growing feeling in favour of protection of labour as well as of the protection of merchandise. It is well therefore to have colonies of our own to form an outlet for our people. Until we are quite satisfied that we may not want this great Continent for our own people I do not see why we should be in such a hurry to hand it over to this mere handful of 40,000 people sitting in "a corner" of Australia. I admit that if Australian Federation is brought about the Federal Government may well demand the control of Western Australia. But Australian Federation has not come yet. Those who have read the Blue

Book will see that there are a great many influences tending the other way, and it is not certain that federation will be agreed to for a very long time. It is an entire mistake that all the colonies demand the whole of this great Continent. I believe that South Australia is the only colony which has expressed itself in favour of such a policy, and I fancy the others have expressed a diametrically opposite view.

*Baron H. de WORMS: I do not follow the hon. Gentleman.

Sir G. CAMPBELL: All I contend is, that the other Australian colonies have not asked that the whole of this land should be made over to Western Australia, but, on the contrary, the delegates of the most important colonies have suggested that it should be kept for a federated Australia. I would rather give it to 8,000,000 or 10,000,000 or 20,000,000 of people when the time comes than give it to these 40,000 people. The arguments are somewhat contradictory. There is some talk of developing the country for splendid enterprises, but there is a refusal to accept the view that free homesteads ought to be given to the emigrants. The Western Australians seem to prefer the system of large squatters. I should like this country to insist that if our emigrants desire to go to Western Australia they shall be entitled to insist on getting free homes. I suggest that there has been a good deal of company-mongering in this manner. We were told in the Committee that the land ought to be given to the people on the spot, and we asked who were the people on the spot, and what was the distance from the more distant parts of Western Australia to the capital. We found that there was communication, in some cases, once a month, and that it took longer to communicate between Perth and Northern Australia than between Perth and London. Under these circumstances, it seems to me absurd to talk of people on the spot. The evidence given before the Committee convinced me that what is called the South-Western corner of Australia is eminently fitted for colonisation. We are told that it has an excellent rainfall, and that there are no droughts. There are no considerable mountains, and the soil is good. There is a great forest growth; but that is a great source of wealth. We are proposing to give away this territory, with its splendid climate, I believe the healthiest in the world, and its capital soil to men who will simply job it away. The territory is eminently fitted for colonisation. It is admitted that in the South-West corner there are 20,000 square miles fitted for cultivation, and even that portion of the country is almost unoccupied. I find that only one-fourth of 1 per cent. of the district is occupied by the colonists. I have been dwelling on the temperate, well-watered, healthy, fertile South-West corner; but beyond that there is an enormous territory extending for many hundred thousands of square miles, which some people say is desert, but which we do not know whether it is desert or not. We have had glimpses of it which show that there are parts of the country which would turn out well. There is certainly the great possibility that the country is rich in minerals; at any rate, it is really no man's land, and it is questionable whether the British Crown should give it away. I greatly welcome the opposition to this clause which is offered by gentlemen who are called land nationalisers. I am not a land nationaliser in this country, because I think it would be too expensive to buy up the land; but my experience of land nationalisation elsewhere has been very satisfactory. At any rate, there is no reason why we should give up this land to a small knot of people; we had better give it to some central authority, who would make proper use of it. We were told by some of the delegates that we need not fear that the small knot of people will job the land away; but I think we should remember what was said by the hon. Member for Mayo, namely, that throughout the Australian Colonies there is a great tendency for the land to fall in great blocks into the hands of great land kings. A Return submitted to the House shows that at this moment the land in Western Australia is occupied in enormous blocks—that there are millions of acres in the hands of a single individual or corporation. It is said the land is held under long leases; but we find that under the Regulations, controlled by the Colonial Office, the leases are not renewable. My belief is that if you give control of these

great lands to a small knot of people, the leases will become property and the land will be jobbed away. Therefore, I want that we should hold our hand a little; that we should not release the ultimate control of the land. Then the question comes, if we are to retain any part of the land or to retain any rights over the land, what are we to retain? I agree that the original proposal of the Government that we should retain the Northern part of Western Australia for the benefit of the inhabitants of this country is nothing but a delusion and a snare; it is a red herring dragged across our path. The Northern part of the country is useless to the people of this country. The question is not whether we should keep the Northern tropical lands, but the temperate Southern lands. When in Committee we came, after a long discussion upon the tropical lands, to the question of the temperate land, the Chairman told us that the matter was practically settled by the Second Reading. No one listened to my proposal, and, as I said the other day, the discussion did not last more than 10 minutes. A great royal function was going on and I did not take a Division, because I saw it would be useless to do so.

MR. J. MORLEY: May I ask the hon. Gentleman if the charge he is now making is not the very charge he apologised in the House the other day for having made?

SIR G. CAMPBELL: I apologised for saying I did not think the Committee did their duty. I never withdrew the charge, which I make again now, that that part of the Bill was hurried through the Committee.

*BARON H. DE WORMS: The hon. Gentleman said that when the part of the Bill to which he refers was reached the Members of the Committee commenced to pack up their papers and to leave the room in order that some might attend the Levée. As a matter of fact, only one hon. and gallant Member left for that purpose, and he entertained views directly antagonistic to the hon. Member for Kirkcaldy.

SIR G. CAMPBELL: As a matter of fact, one very important Member of the Committee was obliged to leave. I have no doubt the Committee did their duty most conscientiously; but they felt and believed that, having disposed of Clause 4, the Southern territory had been settled by the Second Reading, as the Chairman stated. If evidence is wanted that the proposition which I submitted was not discussed and not listened to, that 10 minutes were not taken up upon it, I refer hon. Members to my hon. Friend (Mr. Wodehouse), than whom no one more thoroughly understands the question. My hon. Friend, who of all Members of the Committee best understood the question, told me the other day he never did understand what the question I submitted to the Committee was. I may be wrong in contending that we ought to reserve some of this temperate land, but I maintain it is not a question which ought to be settled in 10 minutes. My proposal is that we should retain about 50 per cent. of the South-West district, and give to the present Western Australians their own lands and certain grazing lands which I specified in my Amendment. In all I would give them a territory something like three times the size of the colony of Victoria and twice the size of the United Kingdom, and if that is not enough for 40,000 people I do not know what is. The rest of the temperate land I would keep, believing that some day or other we may colonise it. It may be rich in minerals, and within the next 10, 20, or 30 years we may have a great line of railway running through the territory. Some day we may have to hand it over to a United Australia, but do not let us be in a hurry; let us wait until such a demand is made. What I am at present desirous of doing is to move an Amendment which will unite the different Members who wish to save something out of that great territory, and, therefore, I beg to propose to omit the word "entire" in the first line of Clause 3. By adopting such an Amendment we should not give the present colonists the entire control of the whole territory. We have been told there might be a safeguard under Clause 6, which gives the power of dividing the colony; but what is the use when the lands are already given away, when loans are contracted on the security of these lands, and the fate of the

colony pledged to arrangements which cannot be upset. No doubt the Government, with the powerful alliance of the hon. Member for Newcastle (Mr. Morley), will insist on forcing Clause 3, and it will be passed, but let it be forced through in the light of day. Let it be understood by future Britons that when this great inheritance was given away in 1890, it was not without a warning and a protest in the House of Commons. We are engaged in a strange policy, grabbing new territory in Africa, while we give away this vast territory in Australia. When the day comes when the nations of the earth feel bound to protect their own labour, then the Australian colonies will be the first to keep our people out of the lands we now give away in this reckless manner. I admit the Colonial Office is against us, with the occupants of the Front Opposition Bench below me. The Colonial Office is incompetent to deal with the question, and the feeling of ex-Colonial Secretaries is like the feeling of ex-Irish Secretaries, to get rid of that responsibility which has been the source of so much difficulty. But this argument may be pushed too far, and I maintain it is the duty of the Colonial Office to retain some control and insure that these lands shall be administered in the interest of the whole Empire, not for the benefit of a handful of people in the village of Perth. Because of a petty difference between the colonists and the Colonial Office the Colonial Office is willing to make "ducks and drakes" of this territory. Why be in such a hurry to do this? We have been told that we should follow the precedent of what was done in Queensland. But two blacks do not make a white. Queensland did not make the best use of the gift, but there was a rush of people to mining enterprises, and the thing is done there. But here we are concerned with a territory three times as large, and we hand it over to a small and unprogressive colony. There is much to induce us to pause and make some reservation. I do not say that my proposal is best; I am willing enough there should be some reasonable concession, but I want some reservation of this great and almost unknown territory until we know something more about it,

Sir G. Campbell

and to what use it can be applied. I accept the suggestion that we should now divide, and move to leave out the word "entire" in line 1.

THE CHAIRMAN: I do not know whether the hon. Member has realised that if the word "entire" has the meaning he attributes to it, this will dispose of all other Amendments.

SIR G. CAMPBELL: I was only anxious not to shut out other Amendments. I will move the Amendment as it stands in my name.

Amendment proposed, in page 2, line 23, after the word "Australia," to insert the words—

"North and west of the line following (that is to say): a line commencing at the point where the thirty-third parallel of south latitude strikes the coast of West Australia, thence running straight to the point where the thirtieth parallel of south latitude strikes the one hundred and nineteenth meridian of east longitude, and thence following that one hundred and ninetieth meridian northwards to the northern coast of Australia."—(*Sir George Campbell.*)

Question proposed, "That those words be there inserted."

*(8.8.) BARON H. DE WORMS: I think, after this speech, it might perhaps be better if I said nothing. It is quite evident the Government cannot accept the Amendment. The hon. Member is fond of accusing Departments and individuals of incompetence, and it seems to me that his measure of incompetency is their disagreement with himself. Both in the Select Committee and in the House the hon. Member was in an absolute minority on this question; but he continues to assume that he was in the right, and that the majority who disagreed with him were in the wrong. He still takes a broad, if not a comprehensive, view of the subject. He reminds me of the French King who summed up his authority in the word "*L'état c'est moi*," the only difference between the hon. Member and the Sovereign is this, that whereas he only claimed to speak for the State, the hon. Member for Kirkcaldy claims to speak for all States and all peoples. He claims to speak on behalf of those who live here and in Australia. In spite of the strong evidence that has been brought before the Committee, and into which the hon. Member himself very

carefully inquired, he is still not convinced, and asks the House to come to a decision in opposition to it, and to accept in place of it, the evidence, a letter from a practically unknown person, or known only in Albany.

SIR G. CAMPBELL: Member for the Division of Albany.

*BARON H. DE WORMS: The hon. Member assumes that because he is known to himself this gentleman must be known to all the world. The Member for Albany may be a distinguished person, but his opinion does not outweigh that of the chosen Delegates from Western Australia. The hon. Member complains of the smallness of the map, but I do not know that I need answer that; although perhaps a larger map would have better accentuated the size of the territory he would exclude from responsible Government. This would leave out of the hands of responsible Government the southern half of the South-Western Division and practically the whole of the Kimberley, Eastern, and Eucla Divisions. This would please no one, and effect no purpose. It would leave to the colony a territory in the north, but would detach a territory on the south, which, of course, is much nearer to, and in closer relations with, Perth. In particular, it would detach King George's Sound, whence the mails are forwarded to and from Perth, and which is the keystone of the defence of the colony. The colony could not be expected to look after these parts properly if they are liable to be deprived of the land revenue. Among strange and remarkable statements from the hon. Member was one that, with few exceptions, the other Australian colonies were antagonistic to the lands being given up to the new Government.

SIR G. CAMPBELL: No; I said that some of the leading men were much against it.

*BARON H. DE WORMS: The hon. Member quoted certain colonies, New South Wales among others, as being against the lands being given up to the new Government.

SIR G. CAMPBELL: I did not quote the colonies as having expressed a strong opinion in that direction. I said they had not expressed an opinion either way, and that some of the leading men in the colonies had expressed strong opinions against it.

*BARON H. DE WORMS: Then the hon. Member relies on negative evidence, and assumes that, having expressed no opinion, they are against the proposal.

SIR G. CAMPBELL: I said they had not expressed an opinion in favour of the transfer, but in a modified sense there had been expressions of opinion against it.

*BARON H. DE WORMS: I deny the inference conveyed by the hon. Member that a large number of the colonists, and many leading men among them, are opposed to the land being given up to the newly-constituted and responsible Government, and I assert that the vast majority of the colonists are anxious that the Bill should be passed. One and all have represented to the Government the desirability of passing this Bill as it now stands without any of the reservations suggested by the hon. Gentleman. This is conveyed by the representations of the official Representatives of the Colonies—the Agents General. I think I have a right to protest in the name of the Colonies against the assertions that have been made. The hon. Member has repeatedly asserted that one aim of those who speak on behalf of a responsible Government for Western Australia is the promotion of land jobbery. No more unfair or untrue statement was ever made. This movement in favour of responsible Government originated, as the hon. Member is well aware, many years ago. It did not originate in the idea of a Land Act at all; it was a national sentiment on the part of the people of Western Australia, who wished to have the same Government as other Australian Colonies. With regard to land grabbing, as I understand the hon. Member, he wants to suggest that the value of the land is so advantageous that men will be guilty of great political meanness in order to obtain control of it; but the hon. Member must be well aware that millions of acres of Western Australia are of little or no value at all. There are hundreds of thousands of acres of poisoned land, and in many districts the land is so poor that five acres would barely feed one sheep. I press this on the Committee, because I believe, if the statement of the hon. Member is to go abroad, many persons may be misled by it.

Then the hon. Member said that colonists were against immigration and free homesteads. There was no such evidence given before the Committee as that alleged by the hon. Member. What was said was that, in order to start a family in Western Australia, besides land, the sum of £300 was necessary. But where is that £300 to come from? Has the hon. Member any vast scheme of colonisation? Does he propose that the Government should furnish it? What does he mean by that? Where is it to come from? [Sir G. CAMPBELL: The Whisky Duties.] The hon. Member is fond of wild statements, which, when scrutinised, must be swept away. I believe the common-sense of the Committee will prevail. They will see that, if we grant responsible Government to the Western Australians, we must give them control of the land as well. [Sir G. CAMPBELL: Why?] Because we cannot separate the administrative power and the electoral power, and at the same time keep in the hands of the Home Government the sale and revenue of the land. Therefore, the Government came to the conclusion that they would not be justified in passing any system of responsible Government for Western Australia which would not at the same time give the control of the land. If the colonists are entitled to control the Government, they are also entitled to control the land.

*MR. CUNINGHAME GRAHAM (Lanark, N.W.): Will they have power to alienate the land?

*BARON H. DE WORMS: If the hon. Member means power to sell or lease the land, certainly they will have that power. The Government cannot assent to the proposal of the hon. Member, and I do not think I need take up time in going over all the details of his speech.

*(8.20.) MR. T. H. BOLTON: Although there may be few Members who are prepared to follow the hon. Member for Kirkcaldy in the course he has taken, there are a large number of persons in the country who have considerable doubt as to the policy which the Government are pursuing in connection with this Bill. There is no indisposition to give full representative institutions to Western Australia, but there is a very great disinclination on the part of many people at home to the handing over to this new Government these enormous unoccupied territories. The feeling of the Australian Colonies may be in favour of the land of Australia being used entirely for the benefit of the Australians—that is not unreasonable from an Australian standpoint; but I very much doubt whether the other colonies have been fully consulted as to the placing of this vacant land under the absolute control of this particular Legislature. I know individuals have appeared before the Committee who stated that the other Australian Colonies desired to see the vacant lands placed under the control of the proposed new Legislature; but other people have said that these vacant lands ought to be placed under the joint control of the Australian Colonies. No reliable opinion on this particular question has been obtained from the Australian Colonies as a whole.

*BARON H. DE WORMS: The question was fully discussed at the recent Conference on Australian Federation.

*MR. T. H. BOLTON: I have taken the evidence as I find it in the Blue Book; but if there is other evidence which was before the Committee, it ought to have been put in the Blue Book. I repeat that I doubt whether this particular question has been fully considered by the Australian Colonies. The hon. Member for Kirkcaldy has formulated his views in, perhaps, not a very acceptable way; but we know and understand his wishes and desires in this matter. What are they? That ample territory should be given, but that this great unknown territory on the east and the fertile territory on the south should, to some extent, be reserved, in the hope that they may be available for English colonists. We are now told by the Government that the Australian Colonies all desire this Bill should pass without delay. I admit, under these circumstances, it is very difficult to interpose. We have no desire to stand in the way of giving full and free institutions to Western Australia; we only desire that those institutions should be adapted to what we consider are the claims of the Mother Country in connection with the vacant

lands, and to retain control over national domains in the interest of the crowded population of this country. We must submit, I suppose, to the passing of this Bill, but I re-echo the sentiment expressed by the hon. Member for Kirkcaldy that, at all events, it shall not be said there were not some Members of this House to raise a protest against handing over the entire control of these national domains to a few people in the colony retaining no Imperial control in the interest of the crowded population in this country. (8.30.)

(9.1.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

DR. CLARK (Caithness): If we could modify this clause so as to prevent evils arising in Western Australia which have arisen in other Australian colonies, especially in Victoria, we might amend the land clause so as to prevent the full control of the land being in the hands nominally of the Members of the Council; but I do not see how we can bring that about by any practicable means, and, therefore, I support the clause in its present form. I am somewhat astonished at the Amendment of the hon. Baronet the Member for Kirkcaldy, because if it were adopted it would bring about the very state of things he so strongly objects to. There are two aspects in which to regard this question. The first is, with regard to the creation of a Crown Colony; and here I am glad to see that the Committee have so amended the Bill that its present form is far better than that in which it originally stood. Under present circumstances, I think it much better to give the full control of the whole of the land right away to the north to the present Assembly and Council than to divide it and place our portion under separate control. My hon. Friend (Sir George Campbell) knows something about the Administration of India, but the Administration of the Australian Colonies is a different matter. If this Bill be carried, the land will be under the control of the Government of Western Australia, who will, of course, be amenable to Parliamentary control, and can be "heckled" by gentlemen holding the same views as the hon. Baronet in the Legislative Assembly; but if it be not carried, you will have, instead of this, a Commissioner appointed by the Government, and the whole control of the land will be in his hands and that of the Sub-Commissioners. There would, in that case, be no power in the hands of the people, and there would be a thousand times more jobbery than if you had an Assembly by which the action of the Ministry in regard to the land could be called in question. If there were any effectual means of carrying out a system of Imperial control something might be said in favour of the proposal of my hon. Friend. But the working of the colonial system is this: A colonial man is usually appointed, for it is rarely found that an Imperial official gets the appointment unless he has been a colonial man, and is appointed at the suggestion of the colonists, and thoroughly under the influence of colonial ideas. But if this Amendment be carried, the result will be that, instead of the land being controlled by a Minister responsible to an elected body, it is controlled by a Commissioner, and appointed by the Government, and by assistant Commissioners under him, uncontrolled by public opinion, and the alienation of the land will go on to a very large extent. The leases, which the holders regard as freeholds, will be multiplied; and if there is anything my hon. Friend desires not to have, he will secure it by the passage of his Amendment. I think the passing of the clause as it stands would be the best solution of the question, and I trust, therefore, that the Amendment will not be pressed.

*(9.7.) CAPTAIN BETHELL (York, E.R., Holderness): I am one of those who do not wish to see the whole of the land of Western Australia placed entirely under the control of the new constitution. I cannot agree, however, with the right hon. Gentleman the Member for Newcastle that a Bill of this sort, having been considered by a Select Committee, it is scarcely fair, and, in fact, almost ridiculous, for us to discuss it at any considerable length. It seems to me that this Bill is one that contains more important matter than any measure that has been submitted to the House during the present Session, and, if passed, it will

settle for a long time the question of the government of a large portion of the western territory of Australia. I have not the fear which some hon. Members have, that, if this Bill is passed, it will result in different individuals here and there becoming possessed of enormous blocks of land to the ultimate detriment of the colony. The hon. Member for East Mayo overlooked the fact that in the colonies he spoke of the alienations of large tracts of land took place a great many years ago before public opinion was directed to these matters and when it was held that the best way of opening up the country was to allow individuals to acquire possession of large masses of territory. In these days, however, the force of public opinion will be far too strong in the colony to allow of such a course of procedure. I may say that if we look at the sales made by the Government of Western Australia it will be found that a very small quantity of land has been alienated in this way, but that large tracts have been allowed to be let upon lease, from which a considerable income has been derived and is still flowing in. An important question arising on this head is, what should be the proper destination of this income? I have been enabled to obtain from the somewhat imperfect records of this House some information as to the Australian Colonies, from which I have gathered a few figures which are not without interest. The fact is undoubted that a large sum has been realised over a series of years from the sale and leasing of land, and, roughly speaking, about one-third of that income has been expended on matters relating either to the land itself or to the native population. I think it a perfectly legitimate procedure that the income arising from the sale and letting of those large large tracts of land shall, to some extent, be used in opening up a territory for the future benefit of the colony. Then comes the question, what has become of the rest of the income which has been flowing in from the rest of those sources? It has gone in the relief of the taxation of the colonists, men who are quite as well able to bear their share of taxation as any individuals in this country. Why should they be relieved of taxation by the sale and lease of waste lands to which they have no particular right? If the Committee will allow me I will quote a few figures. Take, for instance, the colony of New Zealand for the five years from 1871 to 1875. The average annual income in that period for the sale and lease of waste lands was £677,000. The amount expended on the lands was £374,000, so that the remaining £300,000 annually has gone towards the relief of the taxation of New Zealand. The land belongs not to New Zealand, but to the State as a whole. Precisely the same state of things exists in New South Wales. In the years 1867-8-9-70, the average annual income of New South Wales from the sale and lease of waste lands was £526,000, and the average annual expenditure about £200,000. The amount of the direct taxation of New South Wales was £880,000, so that really more than one-third of the amount is met by the income for the sale and lease of waste lands. Why should those people, who are undoubtedly wealthy and well-to-do, be relieved of taxation to the extent of something like one-third? I think the figures I have mentioned fortify the argument I have suggested, that the means derived from the sale and lease of waste lands ought not to be devoted to the relief of taxation of individual communities, inasmuch as the lands so dealt with do not belong to them any more than to other portions of the Empire. Take New Zealand. The large sums of money raised from the sale and lease of waste lands ought to have been spent very much more than they have been spent upon the elevation of the condition of the natives. We know what were the troubles in past times in New Zealand in connection with the natives. Unfortunately, in New Zealand, as in other countries where we have to deal with large numbers of natives, a much larger sum of money ought to have been spent in trying to educate and improve the condition of the natives. That, of course, is much less true of Australia than of New Zealand, but still it has some truth in Australia. But whether the money is spent on the natives or for purposes of colonisation, or, as suggested, for the provision of free homesteads for colonists, I am quite clear that in the case of Western

Australia, where you have such a small community, and such a huge area of land, that it is unjust that the money arising from the sale and lease of waste lands should be applied to the relief of the taxation of 40,000 or 50,000 people who at present dwell in the colony. I must own I should like to hear what answer the right hon. Gentleman the Member for Newcastle has to give to the argument I have advanced. It is argued that the colonists of Australasia have petitioned Parliament to pass this Bill, and, in fact, to assign all the waste land to the Government which is to be set up under this Bill. I think we are inclined to give a little too much weight to the arguments, wishes, and Petitions of the colonists. After all, though we derive benefit from having colonies, it should not be forgotten that the colonies derive very great benefit from having us. I do not think it is a sound argument, that because a colony, perhaps separated from Western Australia by 2,000 miles, petitions in favour of the Bill, we should be told by that colony what we are to do, nor do I think that New South Wales has a very lively claim to insist upon Parliament acting in a particular way. I quite admit that if you federate Australia the case is very much altered. There is a great deal that could be said for the revenues derived from the sale and lease of waste lands being managed by a Federal Government which cannot be said for a single colony. I should personally raise no objection whatever if the money were to be placed under the control of a Federal Parliament and used for the Imperial benefit of Australia. I am doing my best to support the right hon. Gentleman and his Government. I understand that it was the original intention of the Bill to alieniate a portion of the land, but that the Select Committee altered the proposition. I do not know whether I may look forward to the possibility of the Government changing its mind, and re-inserting in the Bill the 26th parallel of south latitude. I feel considerable doubt whether it is quite wise to give to a single Government the control of a territory the limits of which are distant 1,000, 800, and 600 miles. But, be that as it may, I do not entertain the fears expressed by Radical Members of this House. My views are entirely confined to the question of what I think is just. This enormous quantity of land does not belong to a small section of the people, but to the entire Empire, and it should not be applied to the relief of the taxation of a particular section of the community, but should be devoted, more or less, to Imperial purposes. I should have supported the hon. Member for Kirkcaldy had he drawn a less quaint line through the territory. I think he would have been better advised if he had moved the words as they stood in the original Bill, and I then should have been disposed to support him. The question is, if I moved an Amendment to the Amendment of the hon. Gentleman, whether there would be the slightest chance of its being accepted. But when I consider the want of interest in the Bill, and all that has been said, I think it would be hardly worth while to put the Committee to the trouble of considering an Amendment to the Amendment of the hon. Gentleman.

(9.30.) MR. J. MORLEY: The hon. Member who has just spoken has spoken, as he always does, in a serious and candid manner, and, as he has appealed to me, it is due to him that I should say at once what I have to say on his extremely interesting and fair remarks. I do not think he has quoted rightly the original proposal of the right hon. Gentleman on the Front Bench opposite, because the proposal originally embodied in Clause 4 was felt to be so absolutely untenable, in the face of the great body of evidence we listened to, that it would have been impossible to consider it, and I cannot admit that the Select Committee which sat to consider this Bill was divided by Party considerations. As to whether it is fair and desirable and compatible with the principles of Imperial policy to allow the revenues derived from this enormous tract of land to be expended for the benefit of the present generation of Western Australian colonists, and perhaps a generation to come, I agree with the hon. and gallant Member that it is not desirable. But it is a practical question whether we can have these large unexplored tracts of land brought within the sphere of agricultural, or even pastoral, operations,

unless we allow individual ownership, even on a scale which is found afterwards to be objectionable.

An hon. MEMBER: Why so?

MR. J. MORLEY: Well, let us listen first of all to experience. Sir William Robinson, the present Governor of Western Australia, and a Colonial Governor of much experience, has placed the matter very clearly before the Select Committee. He stated that it is impossible to start the colonies without making these squatter allotments. He said further—

"Pastoral occupation is the only occupation understood here, and we owe a large debt of gratitude to those gentlemen who brought out their capital from England and took large tracts of land—and some of them, perhaps, hold them still. Without these large grants it may be said that Australia would not have arrived at the position she now occupies."

(9.35.) CAPTAIN BETHELL: I think the right hon. Gentleman came in after I had gone through part of my argument. I do not object to land being rented or leased at all, but my contention is that the revenues of the lands ought to be applied to Imperial purposes, rather than to the relief of local taxation.

(9.36.) MR. J. MORLEY: I am aware that I did not hear the whole of the argument of the hon. and gallant Gentleman. I agree that the Revenues derived from the selling or leasing of these lands ought to be set apart for large purposes, but if the hon. and gallant Gentleman means that the proceeds of land sales or alienations in Western Australia ought to be in any way taken possession of for Imperial purposes at large outside the colonies, I cannot assent to the principle. Practical difficulties ought not to be lost sight of in carrying out theoretically sound principles. I am not sure, however, that the Australian colonists have not learnt their lesson, and have not entirely set their faces against the alienation of large blocks of land. There, again, we have the evidence—which was not disproved by anyone who was called before the Committee — of Sir William Robinson, whose experience in some of the colonies has been very large. He told the Committee again and again that there had been a complete change in policy, and that the tendency of Australian legislation is no longer to job away lands; on the contrary, Sir William Robinson said that great jealousy is now exercised. I have looked very closely at the line proposed to be drawn by the Amendment of my hon. Friend, and I think it to be a most fantastic line. He himself has changed it since it has been before the Committee, the most extraordinary proposal ever brought before the House of Commons. The House is engaged on a Bill for giving responsible government to a colony which desires to have the control of the land, and the hon. Member for Kirkcaldy proposes to take away from the colony all the land which is of the greatest value. His proposals would exclude first, the goldfields, which are possessions of the utmost importance. He talks about picking the eyes of the lands, but surely that would be picking the eyes of the lands which the colony can have the control over. Secondly, he would exclude the oldest settlements in the country; thirdly, the forests, and all the timber industry, which is of great magnitude now, and will be of greater in the future; fourthly, the port of Albany, at which the mail steamers call, and which is the centre of communication with the outside world; fifthly, the main line of railway and the smaller tributary lines; and, finally, all the best land of the colony, both as to climate and rainfall. The hon. Gentleman's proposal would reduce the Bill to giving responsible Government to a community from whom you have taken all that which a colony most values. That is a thing which will not commend itself to anyone who inquires into the subject. It is asked why the Colonial Office should not reserve to itself the making or approving of land regulations for this tract of land north of parallel 26. I am not going to put before the House a long argument, but I will simply put before it for acceptance one or two considerations which were brought before the Committee. When you say that the Colonial Office is to make regulations for lands either north of 26, or any other sphere, what do you mean? With whose eyes are the Colonial Office seeing? It is clear that the Colonial Secretary would necessarily, in making these regulations,

have to take the advice of the Governor of Western Australia. No one in the position of Secretary of State could make specific land regulations without the advice of the Colonial Government. But who is the Government? The Governor is a man who is paid by Western Australia, and he is working every day with Ministers who are practically nominated by the Colonial Legislature. In such circumstances, is it possible that the Colonial Office could make a single regulation for those lands that is not approved by the Colonial Legislature, whose Ministers will be constant and daily Colleagues of the Governor?

CAPTAIN BETHELL: Is it not so in South Africa?

MR. J. MORLEY: Yes, but I am not sure that it is to the people of South Africa a particularly satisfactory arrangement, and I am sure it is not going to last. And it only obtains in one single province of South Africa. So much for the old Clause 4. So much for the idea which in some quarters was entertained a few weeks or months ago. So much for the idea that the Secretary of State at home should reserve for himself the power to make regulations for this great tract of land north of 26 or north of 23. Now, I should like to turn to the other suggestion, which has been made in the Press and reproduced by my hon. Friend the Member for Kirkcaldy to-night—I mean that we should keep these lands in our own hands until there is a Confederation of Australia. My hon. Friend who opened the subject to-night, I must say—no doubt involuntarily—misrepresented what happened at the Australian Congress. The right hon. Gentleman the Under Secretary for the Colonies has, perhaps, sufficiently pointed this out, but I should like to make it perfectly clear. What Mr. Deakin said was not what my hon. Friend apparently wished the House to believe, namely, that he approved, of all things, of the administration of the lands by the Federal Government. Mr. Deakin said nothing of the kind. What he said was that it would be better that they should be administered and governed by the Federal Authority than by the best Cabinet administrators that could be collected in London. Of course, Mr. Deakin was in entire accord with the view of the majority of the Committee. Mr. Deakin, therefore, cannot be quoted as an authority for the view put forward by my hon. Friend, nor does Sir James Steer give any countenance to the contention of my hon. Friend. The Blue Book is as good evidence as we can have that those who are most in favour of Australian Federation are most opposed to our retention of these lands in our own hands. In reference to federation, what position would Western Australia be in if she went into a Conference with a view to federation, and without having the control of her own lands? I say this—and I say it subject to the full criticism of those who know most—if there were such a Conference, and if the Colonial Secretary urged Western Australia to adopt federation, the answer would undoubtedly be, "You want us to federate. Give us back our own lands, so that we can go into the Conference on equal terms with the other colonies." Of course, hon. Gentlemen can see for themselves that if they want Western Australia to go on fair terms into a Federation Conference, Western Australia must be in a position to make a bargain. I am reminded that Mr. Parker, the leader of the Opposition in the Federation Conference, stated in his evidence—

> "I do not think that Western Australia would ever dream of entering into federation until she had the entire control of her own lands."

I submit that to Gentlemen who are in favour of an Australian Confederation there is one more objection to the Amendment from a federation point of view. I would point out that the subtraction of these lands from Western Australia, and the proposal to transfer them to a Federal Authority is incompatible with that policy of immigration and emigration of which my hon. Friend the Member for Carnarvon (Mr. Rathbone) is presently going to speak. Depend upon it that the Federal Authority will not allow you to make your own emigration arrangements, and will be much less likely even than the Western Australian Government to do so. Therefore, when you say, "Reserve these lands with a view ultimately to handing them over to a Federal Authority," you make a pro-

posal which will be most fatal to your favourite wish of reserving these lands and putting a certain population upon them. There is no proof so far that the lands in Western Australia have been jobbed. The Western Australians are like other Englishmen, and Irishmen, and Scotchmen, they do not sit content under oppression, and we may take it for granted that there is sufficient public opinion in Western Australia to make very short work of any attempt to job away these lands. We who sat on the Committee went into the land regulations. They are recorded in the Report submitted to this House, and I venture to say they are regulations to which the extremest Radical, short, of course, of a land nationaliser, could take little exception. They seem to me, and I think to most Members of the Committee, to have been framed with the utmost care to prevent that accumulation of land, very often under bogus titles of occupation, which has had some bad results in other colonies, and I daresay would have bad results in Western Australia. The Committee went very carefully into the whole question, and came to the conclusion that the suggestion that the Secretary of State should regulate these lands was a most hopeless one, especially with regard to the gold-fields. It was made wonderfully clear to the Committee that auriferous lands require constant and minute power from month to month of varying regulations, and it would be quite hopeless to subject them to the delays of the Colonial Office—although, no doubt, such delays are no worse in the Colonial Office than in other Government Departments. The hon. Member for Kirkcaldy says it takes a month to get from Perth to some of these lands. But there is a telegraph, and it is possible for a Minister sitting in Perth to vary a regulation in the course of half an hour or an hour.

*(10.0.) MR. SETON-KARR (St. Helen's): I entirely agree with many of the arguments that have been put forward by the right hon. Gentleman who has just sat down, although it is not often that we find ourselves in agreement. I was one of those who, in discussing this Bill before it went to a Select Committee, expressed a strong opinion that the Imperial Government would not be justified in giving away this enormous territory to the entire control of a Western Australian responsible Government. I wish to say that, in spite of my desire to the contrary, I have entirely changed my mind. I am not a Member of the Select Committee, but I have read the evidence that was given before it, and have had the opportunity of meeting some of the Representatives of the colony —Sir William Robinson in particular— and I have come to the conclusion that it is impossible to give Western Australia responsible Government without giving up to it the control of the land. The arguments of the right hon. Member for Newcastle (Mr. J. Morley) on the matter from the federation point of view are absolutely convincing. Another reason for giving up the whole of this territory to Western Australia is to be found in the nature of the land. A considerable part is not favourable to white labour, and it would, therefore, be almost useless to this country. I admit that it would be unwise for Great Britain to give up valuable lands that might be conveniently utilised by her for colonisation purposes hereafter, but these lands are not, for the most part, of that character; and if we keep them the only result will be to offend the susceptibilities of the colonists. It might turn out that it would be impossible to make proper use of these lands, and it seems to me we are bound, if we are going to give responsible Government to Western Australia, not to retain the land. Otherwise we shall be showing a certain amount of want of faith in the Government. As we are told by the West Australian Representatives, they must be as anxious as we are to see that these lands are put to good use. They must be anxious to have colonists of a proper kind, and that will be a source of strength to the country. They would do everything in their power to facilitate any colonisation of the kind. On the other hand, supposing we want to colonise land, I do not see how we can carry out any colonisation scheme in the face of the opposition of the responsible Government of Western Australia. It seems to me, therefore, that we may as well do the thing with

a good grace and a free hand. From the federation standpoint, from the practical standpoint, from the standpoint of those who believe in the good faith of the responsible Government of Western Australia, I am in favour of giving them the whole of this territory, large as it may seem; and I am strengthened in that view by seeing that we shall have, under Clause 6 of the Bill, some future control over a portion of the land if occasion arises for anything of the kind. I believe we shall subsequently have an Amendment moved with regard to the emigration clauses. I shall listen with interest to what may be said on that point, and, in the meantime, I shall vote against this Amendment.

*(10.8.) MR. G. OSBORNE MORGAN (Denbighshire, E.): I am not surprised that the Amendment has not been understood by my hon. Friend the Member for Bath (Mr. Wodehouse), for I confess that even with the light thrown on it by his speech to-night I do not understand, and I do not think the hon. Member for Kirkcaldy does himself understand it. But I really must protest against the unjust way in which my hon. Friend has spoken of the proceedings of the Committee. I have sat on about as many Select Committees as most Members, and I can say with confidence that there never was a Committee which did its work more thoroughly. We sat on 12 different occasions, examined nine witnesses, and asked about 3,900 questions, of which my hon. Friend (Sir George Campbell) put his full share, and we were practically unanimously agreed as to the conclusions at which we arrived. The Bill, as originally framed, proposed to reserve all the land North of the 26th parallel, but it was found that that would be a great mistake, because it would be retaining land that was absolutely useless and giving away all that was valuable. It would also have involved this country in the vexed question of Chinese or Asiatic labour, without which the land reserved could not be cultivated. But now the hon. Member for Kirkcaldy proposes to reserve the best part of the colony, and to give over to the colonists the worst part. I need hardly say that that is really trifling with the colonists of West Australia. They have asked for bread, and it is proposed we should give them a stone. It is proposed we should reserve the Port of Albany for ourselves. That is a mere idle proposal. It will be futile if we give the colony responsible Government. It is quite clear that the Colonial Office, in such matters, has been and will be guided entirely by the opinion and the action of the Governor, and that Governor will be guided by the action of his responsible advisers. I wish hon. Members to bear in mind that the Select Committee was a strong Committee. It was composed of men who went into the committee-room with perfectly open minds, and who came to what was practically a unanimous conclusion. When the hon. Member was challenged, he did not venture to put the Committee to the trouble of a Division on this point. It does seem to me that if we are to go over all these matters again without trusting to the decision which was come to by the Select Committee who heard and weighed the evidence, there is not much use in hearing a Select Committee at all. I sincerely hope the Committee will shortly proceed to decide the question.

*(10.15.) MR. WODEHOUSE: I entirely agree with what has been urged by the right hon. Members for Newcastle and East Denbighshire, and it is unnecessary for me to repeat their arguments; but as the hon. Member for Kirkcaldy made direct references to me in the course of his speech, I must say a word. I take no exception whatever to those references, because they were most kindly and friendly, but I cannot subscribe to all that he said without some reserve and qualification. He spoke of me as tainted by my experience of the Colonial Office with a conviction of the incapacity and incompetency of that Office. To this I cannot for a moment assent. Although my connection with the Colonial Office was brief, and by no means important, I may be allowed to say that my experience there led me to believe that the permanent staff of the Office were specially capable and efficient. Mistakes have, no doubt, been often made by the Colonial Office, but they have not, in my opinion, been due so

much to the traditions of the Office and the incompetency of its permanent Staff as to vacillations in colonial policy, caused by deference to passing phases of public opinion and the pressure of Parliamentary exigencies. Nothing is more fatal to efficiency of administration than a vacillating policy. If I were asked to adduce the latest illustration of a blunder made by the Colonial Office from deference to a passing gust of public opinion I should mention Clause 4 of this Bill in its original form—a clause introduced into it, as I believe, against the better judgment of the Colonial Office. The hon. Member for Kirkcaldy referred to my inability to understand his Amendment, as evidence of the hurry with which this Bill was hurried through the Select Committee [Sir G. CAMPBELL: This Amendment.] It is hardly fair to cite my inability to comprehend his Amendment as a conclusive proof of the hurry with which it was disposed of, because, although it is perfectly true that my inability to understand the Amendment may have been due to the limitations of my own intelligence it may also have arisen from the imperfection of the hon. Member's exposition. Though I may not have comprehended the full and precise scope of the hon. Gentleman's Amendment, I did understand that he proposed to reserve some of the land in the Southern part of Western Australia, and I thought it unnecessary to linger on that point, because it was clear from all the evidence we had before us that any reservation of lands in the Southern districts would be absolutely fatal to the establishment of responsible Government. I believe there is no desire in any quarter of the House to withhold responsible Government from Western Australia, but the acceptance of such an Amendment as this would, I am sure, be fatal to the end and object of the Bill. It seems to me that an arrangement by which we should reserve lands for the control of the Secretary of State, and yet allow the responsible Government of the Colony to extend its administration over those reserved lands, would be quite unworkable. The power reserved would be ineffective for any good Imperial purpose, while it would provoke constant irritation in the colony. If you want to reserve lands and have full control of them, do not leave them to be administered by the responsible Government, but create a Crown Colony, which would be under the entire control of the Colonial Office. Upon that Office Parliament can always make its authority and influence felt. But the Amendment of the hon. Member for Kirkcaldy contains no such proposal. It proceeds on the lines of Clause 4 of the original Bill; but makes a reservation infinitely more distasteful to the Colonists than the reservation made by that clause, and all the evils attaching to it would be multiplied tenfold by the Amendment of the hon. Member. There is no precedent for a reservation of waste lands on the grant of responsible Government to a colony; and Western Australia could regard it as a special mark of undeserved suspicion and distrust.

(10.25.) SIR G. CAMPBELL: That has happened which I rather apprehended would happen, and that is, hon. Members have different plans and are not able to agree. I seem to have failed to make my plan intelligible. It is a geographical plan, and if any Member chooses to take up a map and mark out what I propose to reserve, he will have no difficulty in understanding my suggestion. But I quite admit this is a proposal which cannot well be thrashed out in the House. It might have been thrashed out in Committee, if the Committee had given their attention to it, but they objected *ab initio*, and I had no opportunity of discussing the matter. Perhaps I should be better advised if I took a Division upon the whole clause, rather than upon an Amendment which no one has understood. But let me say a word. [*Cries of* "Oh, oh!"] I think it is scarcely consistent with fair play when I have been hit all round that I should not be allowed to say a word in my own defence. It has been said that my plan will deprive the colony of the gold mines. My objection to that is, that there are no considerable active gold mines at this moment. There are spots marked yellow on the map, but at the present time there are no very active gold mines. I think that it is not an unreasonable proposal to reserve the

Albany country from the control of the people of Perth, and keep the land for future colonisation.

(10.29.) MR. MORTON: I object to this land being given up to jobbers and speculators. We seem to have been deserted by the Front Opposition Bench. I do not know why, but it is so. And now we are told, on the authority of the hon. Member for Kirkcaldy, that the question was not fully discussed in Committee. On the other hand, we are told by the Members of the Front Opposition Bench that this matter was discussed and considered by a Select Committee, and that, therefore, we ought not to consider it here. Why is it brought here at all if we are not to consider it? I think we ought to consider it line by line.

Mr. SETON-KARR rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

(10.30.) The Committee divided:—Ayes 183; Noes 41.—(Div. List, No. 166.)

Question put accordingly, "That those words be there inserted," and negatived.

*(10.47.) MR. CREMER: I think hon. Members will believe me that I have not the slightest desire to waste the time of the House after the long Debates which have taken place upon this Bill. But I cannot help moving the following Amendment, which raises what is to me a vital principle:—

Page 2, Clause 3, line 24, after the word "of" to omit the words, "the sale, letting, and disposal thereof including."

And at the end of the Clause to add the following words:—

"Provided always the Legislature of Western Australia shall not dispose of otherwise by letting the lands, royalties, mines, and minerals of the aforesaid colony."

If the Amendment which has just been negatived proved so very objectionable to many Members, I fear my Amendment, which is of a more drastic character than the proposal of the hon. Member for Kirkcaldy, will be still more so. I have been very much amused at the support which has been given to this Bill by Members of the Front Opposition Bench. To me the attitude which they have taken is mysterious. We do not usually find them countenancing and supporting the Government, and enabling them to pass their measures, and it is a matter of curiosity with me to know why, on this particular question, Members of the Front Opposition Bench should have gone out of their way to support this Bill, some of the provisions of which are absolutely objectionable to many Members sitting behind them. It has been urged that this Bill should be passed as speedily as possible, and that before many years have passed the objectionable clauses will be swept away. But what will happen while the sweeping-away process is going on. It was stated the other night that for 12 years no organic change could take place in the Constitution of Western Australia. Why, long before 12 years have elapsed all the land will have been snapped up by those who are promoting this Bill, and by a handful of men who will profit by and find seats in the Legislature of the colony. Being at a loss to understand the eagerness to pass the Bill, I looked for a reason in the Bill itself, and I found it in Clause 3. If this clause had not been incorporated in the Bill we should probably have heard very little about the Constitution of Western Australia. Clause 3 is the kernel of the whole question; and I object to it because it confers on a Legislature elected under a restricted suffrage the power of disposing of millions of acres of land with all mineral wealth and royalties. It does seem to me extraordinary that, while we protest against the appropriation by the few of the royalties of this country, we should hand over to 44,000 people, at the outside, the control of a territory as large as the half of Europe, if not larger. Out of the 44,000, I believe there will be only about 6,000 electors. It is, therefore, to 6,000 men, then, that you propose to hand over the control of an enormous territory. It is because I object to your doing so, and because I object to reproducing in the

new world the evils of the old world, that I move this Amendment. It is clearly the real object of the promoters of the Bill to get hold of the waste lands of Western Australia. It is proposed to hand over to the Legislature of Western Australia the power to dispose of, or to let those lands, and if any evidence be needed, there is plenty at hand as to the folly and iniquity of this proposal. In support of this clause, evidence was supplied in the able speech of the hon. Member for East Mayo, whom no one has attempted to controvert, although several Members have sneered at him since he delivered it. [An hon. MEMBER: He supported the Bill.] Yes; the hon. Member supported the Bill because an appeal was made to the Irish Members to support it, on the ground that it was based upon Home Rule, and the result of that appeal is that scarcely any Irish Members have been found on these Benches during this evening, they having apparently been deluded by the statement that the Bill contains the principle of Home Rule. It may contain the sham principle of Home Rule, but I would put it to the Irish Members, whether they would accept a Home Rule Parliament elected by a restricted franchise and a property qualification for Members. I, for one, would vote against any such proposal, which I should regard as anti-progressive and anti-democratic. And I am surprised that the Irish Members have been deluded by the appeal made by the right hon. Gentleman the Member for Newcastle that they should assent to this Bill, because it contains the principle of Home Rule. The Bill proposes to hand over to a Legislature, constituted as it must be almost exclusively of men of property, the power to deal with the whole of the land, amounting to many millions of acres, in Western Australia. What, I ask, about the poor people of that colony? What about their power to direct the affairs of the Legislature and to check the land grabbing and land jobbing which will inevitably take place when this Bill is passed. It is all very well to tell us that in a few years the evils which the Constitution contains may be remedied, but long before that, long before the Legislature can be re-constructed on a democratic basis, the land will have been practically swallowed up by syndicates, formed, I hope not in this country, although it has been whispered that there are men who have assisted in the promotion of this Bill, who are connected with syndicates which have passed the first stage of their existence, and only await the passage of this measure to assume a crystallised form. The Bill proposes, in addition to allowing the Legislature of Western Australia to sell or do just as it pleases with the waste lands, also to deal with the subject of mines, minerals, and royalties. I do not suppose there are many Members of this House who share my views with regard to mineral wealth and royalties, but I know there are large numbers out of doors—I believe a growing number—who do share the view I have long entertained, that to allow any individual, I do not care how he has become possessed of the surface of the earth, whether by fair means or foul—I am afraid in most instances it is by the latter process—to appropriate the whole of the mineral wealth underlying the surface, and because a beneficent Creator, or the forces of Nature, have provided enormous quantities of valuable minerals in the bowels of the earth, to call those minerals his own, and charge the community for every handful of coal, copper, iron, or tin, or whatever else can be got at and brought to the surface, is a monstrous proposition, and it is because this Bill contains so pernicious a proposal that I offer my strongest opposition to it. Hon. Members opposite smile, but those who have watched the signs of the times in regard to the land question, who have studied the questions that are being raised in regard to the nationalisation, or communalisation, or municipalisation, as some people term it, of the land will admit that there is an enormous force of public opinion gathering around this question, and that the people are gradually being educated up to the views I have expressed, so that at no distant day hon. Gentlemen opposite will have to face these views when presenting themselves before the electors of the country, and will not be allowed to slide into this House, as they have hitherto been doing, without having to encounter these questions. We are

often told when speaking of the evils of our system of land tenure that if we were going to begin again our opponents would be quite prepared to listen to our proposals, but that we ought to consider the enormous sum it would cost to buy up the landed interest of the United Kingdom. Well, we are going to begin in the case of Western Australia, and we propose at the starting-point that the Legislature shall not be allowed to produce in that part of the globe the evils which exist in such abundance in the adjacent colonies and in this country. If we make this start now the Western Australians will not be called upon in 20 or 30 years time to consider the problem which we have to face, how to get rid of the system of personal property in land, and how the money is to be raised to buy out the landlords. I am not surprised or frightened at the smiles of hon. Members at my suggestion. I have learned to live down ridicule. Twenty and more years ago I preached doctrines then received with derisive laughter; but I have seen those doctrines taken up and carried into effect by hon. Gentlemen on the other side of the House. We protest against an enactment which will create in the new world evils of which we have bitterly to complain in the old world. We foresee the beginning of the evil, and are justified in registering our protest against it. Why this eagerness displayed on the two Front Benches to pass this Bill? I do not find any strong support in its favour elsewhere, and I do not think the Government can congratulate themselves on the halfhearted speeches made in its support by Members behind them. Why is there so much frantic eagerness displayed on the part of the two Front Benches to pass this Bill? It is mysterious to me, especially the deep anxiety on the part of the right hon. Member for Newcastle to get this Bill passed. I cannot help thinking that those who promote the Bill have been prospecting this part of the globe, and have looked with covetous eyes on the land occupied by the natives. They want, however, to prove that the natives have not been lost sight of in the bargain, because I notice that in Schedule C of the Bill the promoters try to throw dust in the eyes of the House, and the people of this country, by appearing in the guise of a pious and philanthropic body of men, and by proposing that a sum of £5,000 shall be appropriated for the welfare of the "aboriginal natives." Why, in a few years, if these men are allowed to pursue their nefarious practices no "aboriginal natives" will be left. Wherever the white man and the native have come into contact, the latter has been driven back by the advance of the former, as is shown by the history of the United States and the colonies. The chances are, therefore, that the £5,000 will never be expended for the benefit of the natives, for the reason that before many years have passed they will have disappeared. The Bill is promoted by landowners, or by those who are anxious to become so; and these men recognise in the passage of this Bill the readiest and the cheapest means of getting hold of land. I make my protest on behalf of the poor and the landless in that colony, who will be called upon to pay in the future for the huge plunder which will be committed if the Bill passes in its present shape. It has been urged over and over again that no one intends to grab or job the land of Western Australia, and the idea that this is intended has been repudiated with scorn and indignation. My Amendment will test the sincerity of those hon. Members who take this view. If they are perfectly certain that it will be looked upon as an iniquitous thing to do to take land in this way, if they are certain that the promoters have no such desire or inclination, then why not pass my Amendment and make it impossible for it to be done? I do not charge anyone positively with intending to appropriate their neighbours' land, but I have a shrewd suspicion that Clause 3 is agreeable to those who have that object in view. I want to make it impossible, and if my Amendment is passed it will deprive the Legislature of Western Australia, or the promoters of this Bill, of the power to do that which the Bill proposes to confer upon them by Clause 3. The form in which the clause would run with my Amendment and addition would be as follows:—

"The entire management and control of waste lands of the Crown of the colony of Western Australia, and of the proceeds of all royalties, mines, and minerals, shall be vested

in the Legislature of that colony; provided always that the Legislature of Western Australia shall not dispose of, otherwise than by letting, such lands, royalties, mines, and minerals in the aforesaid colony."

Amendment proposed, in page 2, line 24, to leave out the words the "sale, letting, and disposal thereof."—(*Mr. Cremer.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

(11.10.) BARON H. DE WORMS: The logic of the hon. Member's speech can be best gathered from the last sentence he uttered—that if the Committee are sure that this land-grabbing system will not take place they would make it impossible by accepting the Amendment. But if hon. Members are sure that this will not take place, of course, the Amendment is unnecessary. Indeed, there is very little in the speech of the hon. Member worth answering. The hon. Member has made a series of charges against those whom he chooses to call the promoters of the Bill. Who are they? The hon. Member has not been able to explain who the promoters of the Bill are. The promoters of the Bill are the people of Western Australia. But the hon. Member speaks of them as if they were a body of private individuals promoting a Bill for their own interests. In the name of the colonists, I repudiate, in the strongest possible terms, the accusations the hon. Member has chosen to level against them, without a shadow of foundation. Judging by the speech of the hon. Member, it is evident that he has not studied the subject in order to become master of it; for he speaks of this power of sale as if it were an innovation, introduced now for the first time, conferring this new Constitution. He does not seem to be aware that it exists in the Constitution of every one of the other Australian colonies. Is there any reason why it should not also be given to Western Australia? The hon. Member has read us a lecture, not very intelligible, upon his principles of land nationalisation, but what it had to do with the Bill I am at a loss to imagine. Be that as it may, it is impossible that we can accept this Amendment. It simply means that while giving responsible government to Western Australia we should force the Government to await the assent of the Home Government before allowing them to deal with the lands under their control. Why, such a proposal is an insult to responsible government, and an insult to common sense. It is impossible for the Government to accept the Amendment, and I hope it will not be passed.

(11.12.) MR. NEVILLE (Liverpool, Exchange): I confess that all along I have regarded the Bill with a considerable amount of misgiving, and that feeling has increased as I have listened to the Debate. I do not for a moment impute to those responsible for the Bill other than a desire to do the best for Western Australia, but it by no means follows that they are acting in the wisest way in the course they have taken. I cannot help thinking that the Bill in effect will be far more in the interest of land speculators and land syndicates than of the people of Western Australia. It is said that this Bill represents the formulated desires of the people themselves, but it appears that the measure has only been carried in the Council with the assistance of the nominated members. It is a serious task we are engaged in. This Bill proposes that this country should give up to a small population, of about 40,000 persons, the last bit of land that England possesses for the purposes of colonisation, and not even to that number, but in reality to about one-fourth of that number. It is a proposal that deserves very serious consideration, and I must say I am inclined to support my hon. Friend in restricting the control over this vast territory. It is said it is our duty to endorse the opinion of the colonists of Western Australia that this Bill should be carried into effect in its present shape, but I altogether join issue with this statement. How is it that this handful of 40,000 people have remained

in undisturbed possession of this enormous territory? Is it not because they have had the protection of the flag of England? We know that Germany has been seeking fields for colonisation, and does anyone suppose that but for the fact that these 40,000 persons in Western Australia have been backed up by England with its Military and Naval Forces, the emigrants could have held the colony against invasion and capture? Therefore, this country has paramount rights over the colony. If it were a question of giving territory to the people of Western Australia, I should feel very reluctant to interposing any obstacle in the way of the Bill, but we find that only a small minority of the people are concerned. The hon. Member for East Mayo (Mr. Dillon) has shown clearly the difficulty in which the people will be placed. Under the present proposed conditions, with a limited suffrage and qualification for representation, the Bill may be fitly described as a Bill for the creation of landlordism in Western Australia. Its effect will be to create a class of large landowners whose existence will be detrimental to the future of the colony. It is no answer to say that in a few years democracy will get the upper hand. Years hence it may be, and after a serious struggle, the people will find they have the shell, while someone else has walked off with the kernel. With these views as to the Bill, I shall certainly support the Amendment of my hon. Friend, though I may point out that the Amendment ought to limit the power of leasing to a certain number of years, since a lease of 1,000 years is practically the same thing as a sale.

(11.20.) MR. W. A. M'ARTHUR: There is one remark to be made to the hon. Member when he speaks of the power of England having protected Australia as part of the Empire. I can assure the hon. Member that if the Australian colonies still retain their connection with Great Britain it is largely because the principles which the hon. Member for Liverpool has just laid down have never been carried out by any English Parliament. The hon. Member for Haggerston has twitted us with not supporting the Front Bench; but I may say there are many of us well qualified who would have been glad to take part in the Debate in support of the right hon. Gentleman the Member for Newcastle had we not been anxious that the Bill should be passed quickly, and had not such an interminable time been occupied by one or two hon. Members in stating objections which have been stated and answered over and over again, both in the Committee and in the House. The entire weight of Australian opinion is on the side of the Government and of the right hon. Gentleman the Member for Newcastle. On the other side are the hon. Member for Kirkcaldy, an English lawyer, and a Representative of the English working men. What is the use of experience in the House, what is the use of Committees inquiring carefully into such questions if, after the best colonial opinion has been taken, it is to be deliberately set aside at the bidding of a few English Radicals, few of whom have been out of England in their lives. Now I think we who know the colonies, and are connected with the colonies, have some right to complain of the universal vituperation employed by the hon. Member for Haggerston. The hon. Member spoke of the connection between the two Front Benches. It is a pity that a question of Government and Opposition should be introduced at all into colonial questions, for all ought to be equally interested in the progress of the Colonies. Then the hon. Member spoke of the promoters of the Bill, and of their anxiety to grab land. To whom did the hon. Member refer? This is a monstrous insult levelled against the public men of Australia.

*MR. CREMER: It has been done repeatedly in other Australian Colonies, and we are warranted in supposing the same of this case.

MR. W. A. M'ARTHUR: These men are doing their duty to their constituents, to whom they are responsible. What does the hon. Member mean? He is a man without any colonial experience, and yet he calmly and deliberately makes a monstrous charge against Australian public men—a charge amounting to one of downright theft—without a tittle of evidence or a single

circumstance to justify it. That is not the conduct which will endear the English Radicals to the working men of Australia, at least if they think that the hon. Member represents the feelings of English working men. The hon. Member and others who have spoken are absolutely ignorant of the conditions under which land is obtained in Australia. They seem to think that anyone can go to Australia and take up some millions of acres and then come to reside in England until the land has greatly increased in value. But, as a matter of fact, the man who takes up land has to fence it and improve it, and fulfil many residential conditions, failing to fulfil which he loses his title to the land.

MR. STOREY (Sunderland): We are anxious for information. Will the hon. Member permit me to ask him if in Western Australia a man takes a sheep run he is compelled to fence it and live there?

MR. W. A. M'ARTHUR: I never should have thought that anybody would object to land being taken for sheep runs. It is an excellent thing for the colony that as much land as possible should be taken in this way until it is available for purchase. You do not give the land to squatters, you simply let their sheep cross it. [An hon. MEMBER: With right of pre-emption.] The hon. Member for Haggerston has said that syndicates are already interested in the passing of the Bill in order to get up sales of land in Australia, and the hon. Member hinted that Members of Parliament were interested in the syndicates. Again, what does the hon. Member mean? Is this a charge of fraud not only against Members of the Western Australian Legislature, but also against Members of the House of Commons?

*MR. CREMER: All through the hon. Member has put words into my mouth which I did not use. I did not say that hon. Members of this House were interested in promoting these syndicates. I object to the hon. Gentleman misinterpreting the language which I employed. I merely said that there were rumours or whispers which I and others had heard.

MR. W. A. M'ARTHUR: I never said the hon. Member accused Members of this House of being members of these syndicates. I repeated what the hon. Member said, that there were syndicates interested in the passing of the Bill, in order to have the advantage of it.

*MR. CREMER: I did not say so.

MR. W. A. M'ARTHUR: Then the hon. Member insinuated it. If this honest Representative of the English Radical working man thinks he improves his position by that, he is welcome to the opinion, and I am glad I have given him the opportunity of making the correction. I venture to say I am quite sure that I am speaking the sentiments of the Radical working men of my constituency, who are much more likely to take their views and facts about Australia from one who was born there, and who has worked there for many years, than from irresponsible persons who get their information out of books and newspapers. I do not believe the Committee will say all these, our fellow-subjects in Australia, are thieves together promoting this Bill in order to divide the land and grow rich together. I do not believe the Committee is prepared to take that view, and to make Western Australia a sort of Cinderella among the colonies. If we are going to give self-government to Western Australia let us give it with both hands, not in a grudging, niggardly spirit. Let us not say we do not trust the colonists to act fairly with these lands. I trust that the House will disregard this and every other Amendment, and pass the Bill as it stands.

(11.30.) MR. STOREY: I am in sympathy with my hon. Friend, and say with him, "Australia for the Australians." But I venture to think that, though he is usually one of the most genial of men, he has imported into this discussion a certain amount of personal feeling which was entirely unnecessary. My hon. Friend the Member for Haggerston may in the course of his lengthy speech

have said one or two things to which exception might be taken; but if we eliminate the personal element, what is it we have to consider? Will my hon. Friend, who was born in Australia, deny that most of the difficulties which have arisen in other Australian colonies have sprung from the fact that the original land legislation was bad? Under the legislation which our forefathers unfortunately permitted, great grants of land were made to a limited number of persons, with the evil result that the people at large, and especially the working classes, were for years and years prevented acquiring land. I put it to hon. Members and to the House that if the land legislation of the colonies in the past has been bad, we ought now to enable Western Australia to start on a better basis. I say it is the business of this Committee to seize the present opportunity of doing this. Of course, I admit that the right hon. Baronet in charge of this Bill is as innocent of syndicates as I am. I admit, too, that my right hon. Friend the Member for Newcastle is as innocent of syndicates as he is of sin. In fact, I would not impute to any Member of this House that he has any personal object to serve by supporting this Bill. I do not think that that enters into the question at all. I put it to the House that the system of land legislation in Australia in the past has been bad, and the Amendment of my hon. Friend is a step in the right direction, since, while it would promote the letting of the land, it would retain the legal estate in the land in the authority of the Parliament of the colony. We hold that that would be a good thing. How thankful should we be in this country if, under our land system, we could make great reforms! I submit that, under Clause 3 as it stands, it will be competent for a limited number of persons to become owners of large tracts of land in Western Australia. What would prevent it?

MR. J. MORLEY: Their own land regulations.

MR. STOREY: If my right hon. Friend will agree to put in a clause referring the settlement of this to the colony when it has representative Government, I am at one with him. But so far as my experience goes, and I have not been in Australia, although I have personal and practical reasons for knowing what has been the result of past land legislation there, it has been bad, and in my opinion, the inevitable effect of this Bill will be to cause large quantities of land to pass into the hands of a limited number of persons. I shall consequently support the Amendment.

(11.40.) DR. CLARK: When my hon. Friend says that the Amendment of the hon. Member for Haggerston is absurd and that nothing of the kind which he has suggested has ever taken place in our colonies, I must differ from him. I remember that this very same difficulty occurred in New Zealand, and an election was fought on the question. I do not think that my hon. Friend the Member for Haggerston has exaggerated the matter at all. As far as land jobbing is concerned, there are plenty of examples of it in a Return which has been furnished to the House, for it shows that individuals and companies own blocks of land ranging from 5,000,000 of acres downwards, the largest being the Bank of New South Wales, with 5,000,000 acres.

CAPTAIN BETHELL: Those are all leases.

DR. CLARK: They are leases, but they are practically freeholds. The right hon. Gentleman the Member for Edinburgh has stated that, as far as Victoria is concerned, the matter has been settled fairly well, but the right hon. Gentleman must know that it was only after two absolute deadlocks had occurred that a compromise was arrived at.

*MR. CHILDERS: I did not refer at all to the land policy of Victoria; but solely to the constitution of the two Houses.

DR. CLARK: The contention was then, as it is now, that the squatting element and land jobbers jobbed away the land, and prevented the people from

getting on it. I contend that this Amendment will prevent a great many of the evils that might result from the constitution of a new Assembly with a freehold qualification for members.

*(11.48.) MR. CUNINGHAME GRAHAM: I wish to say a few words on this question, although it has been discussed at such enormous length. The question seems to me to turn upon the point whether the House, with the evils of the land system in this country before it, should give the land in this enormous colony in perpetuity to the squatting class, or whether it should insist upon the land being reserved for the whole community, and the power to deal with it vested in the hands of a popularly-elected Assembly. Under the Bill it is proposed to give power to dispose, at one fell swoop, not only of lands, but of mines and mineral royalties. That this proposal should be made is astonishing, knowing, as the Government must, that the royalty system is the curse of the industry of Great Britain, and has so seriously hampered it in the competition with Belgium, Germany, and other countries. And yet they are seeking to establish and perpetuate it in a country where hitherto it has been unknown. Let us, at least, leave the minerals alone, so that the inhabitants of the country may work them in the future unhampered by extortionate taxes. Some hon. Members have expressed astonishment at the apparent compact on this question between the two Front Benches. To me it is in no way astonishing, for, as far as I can see, the only division between the two Front Benches is the solid mahogany table between them, with its bauble and its books. This is almost the first time this Session that an opportunity has presented itself for discussing a real Democratic question, and it is desirable that the people should be placed in a position to know who are their friends and who are opposed to them.

(11.54.) Mr. SYDNEY GEDGE rose in his place, and claimed to move "That the Question be now put," but the CHAIRMAN withheld his assent, and declined then to put that Question.

Debate resumed.

(11.55.) MR. P. MORGAN (Merthyr Tydvil): I shall move to report Progress. I think that the Act in its present shape would be most reactionary. The colonies generally are limiting the areas of land that can be acquired by individuals or bodies of individuals, but this measure will sanction the acquisition of immense areas in Western Australia. I am not taking this step with a view of embarrassing the Government; on the contrary, I shall be glad to assist them in getting the Bill through. But I am interested in Australia, and I hold that the scheduled Act does not go far enough in giving representation to the people. I beg to move that Progress be reported.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Pritchard Morgan.*)

*(11.57.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I hope that the hon. Member will not persevere with his Motion. The question before the Committee has been very fully discussed, not only this evening, but on other occasions. The real question to be determined is whether the colony is to have self-government or not. The Motion of the hon. Member, if not withdrawn, must seriously delay the progress of business.

(11.59.) The Committee divided:—Ayes 74; Noes 187.—(Div. List, No. 167.)

(12.10.) It being after midnight, the Chairman proceeded to interrupt the business: whereupon,

Mr. W. H. SMITH rose in his place, and claimed to move "That the Question, be now put."

Motion made, and Question proposed "That the Question be now put."

House cleared for a Division.

MR. STOREY [speaking seated, with his hat on]: Mr. Courtney, we shall

be obliged if you will explain to us how it is that the First Lord of the Treasury can make this Motion after 12 o'clock?

THE CHAIRMAN [speaking seated]: The point of order has been explained, I think, a score of times, and will be probably followed many more times. When a Division is in progress at 12 o'clock, the interruption of business is the close of the Division, and at that point it is possible to move the Closure.

Question put, "That the Question be now put."

(12.14.) The Committee divided:—Ayes 186; Noes 75.—(Div. List, No. 168.)

Question put accordingly, "That the words proposed to be left out stand part of the Clause."

(12.24.) The Committee divided:—Ayes 195; Noes 60.—(Div. List, No. 169.)

Mr. W. H. SMITH rose in his place, and claimed to move "That the Clause stand part of the Bill."

MR. P. MORGAN [speaking seated, with his hat on]: I wish, Sir, to call your attention to the fact that I have had an Amendment on the Paper for the last fortnight, and that I have been attending the House for a fortnight in order to bring it forward. It is an important Amendment affecting the welfare of the people of Western Australia.

THE CHAIRMAN [speaking seated]: It is entirely in the discretion of the Chair to estimate the value of Amendments so passed over. I believe the hon. Member is mistaken in supposing that the Amendment is not included in the Bill as it stands.

MR. P. MORGAN: I must, Mr. Courtney——

THE CHAIRMAN: Order, order!

Question put, "That the Clause stand part of the Bill."

(12.35.) The Committee divided:—Ayes 194; Noes 54.—(Div. List, No. 170.)

Whereupon, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again to-morrow.

EMPLOYERS' LIABILITY FOR INJURIES TO WORKMEN BILL—(No. 172.)

SECOND READING.

Order for Second Reading read.

(12.46.) MR. FENWICK (Northumberland, Wansbeck): I wish to ask whether the Government hope to be able to go on with this Bill, seeing that they put it on the Paper from time to time, or whether they have abandoned all hope of making progress with it?

*THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): Perhaps, Sir, the hon. Member will put the question to the leader of the House.

Second Reading deferred till Monday next.

METROPOLIS MANAGEMENT AND BUILDING ACTS (AMENDMENT) (RE-COMMITTED) BILL.—(No. 356.)

COMMITTEE.

Bill considered in Committee.

(In the Committee.)

(12.50.) DR. CLARK: I beg, Sir, to move that you do report Progress.

*SIR J. LUBBOCK (London University): I hope the hon. Member will allow us to proceed. There is no Amendment to the Bill.

MR. CONYBEARE (Cornwall, Camborne): There is a long Amendment on the Paper.

MR. CAUSTON (Southwark, W.): I understand that the new clause which appears on the Paper in my name is out of order, and, therefore, there is no Amendment to the Bill.

Clause 1.

Motion made, and Question proposed, "That this Clause stand part of the Bill."

DR. CLARK: I now beg to move Sir, that you do report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Dr. Clark.*)

*Sir J. LUBBOCK: The Bill has been before the House a long while, and I hope the Motion will not be persisted in.

Question put, and negatived.

Motion made, and Question, "That the Clause stand part of the Bill," put, and agreed to.

Clause 2.

(12.51.) Mr. W. REDMOND: I think this is a very late hour at which to go on with a measure of any kind. We are all extremely tired, and I do not think any good purpose will be served by refusing to postpone this Bill at least till to-morrow night.

*Sir J. LUBBOCK: The Bill is supported by Metropolitan Members on both sides of the House.

An hon. Member: I object.

Committee report Progress, to sit again upon Thursday.

OPEN SPACES BILL [LORDS].—(No. 303.)

COMMITTEE.

Bill considered in Committee.

(In the Committee.)

Clause 1.

Motion made, and Question proposed, "That the Clause stand part of the Bill."

(12.54.) Mr. W. REDMOND: I move, Sir, that you report Progress, on the ground that it is altogether inconvenient to transact business in the last few minutes of a Sitting, when many Members have gone home on the supposition that no Bills would be proceeded with. I beg to move that you report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. W. Redmond.*)

*(12.55.) Sir J. LUBBOCK: I hope the hon. Member will allow this Bill to be taken. There is no Amendment to it, and it is supported by Members on both sides.

Mr. JOHNSTON (Belfast, S.): If the hon. and learned Member for Longford (Mr. T. M. Healy) were here, I am sure he would join in the right hon. Gentleman's appeal.

(12.56.) Mr. CONYBEARE: The fact that the hon. and learned Member for Longford is not here is the very best argument for not proceeding with the Bill.

Question put, and agreed to.

Committee report Progress, to sit again upon Thursday.

FISHERIES REGULATION (SCOTLAND) BILL.—(No. 53.)

SECOND READING.

Order for Second Reading read.

(12.57.) Mr. MARJORIBANKS (Berwickshire): The Government have introduced into another place a Bill which is contained within the four corners of my Bill. I would suggest that they should consent to the Second Reading of this Bill in order that both measures may be referred to a Select Committee. It is not a Party question.

(12.58.) Mr. J. P. B. ROBERTSON: The question would, at all events, require consideration. I am not at all sure that the right hon. Gentleman represents accurately the contents of the two Bills.

Second Reading deferred till Thursday next.

COURT OF CHANCERY OF LANCASTER BILL [LORDS].

Bill read the first time; to be read a second time upon Thursday, and to be printed. [Bill 363.]

BUSINESS OF THE HOUSE.

On the Motion for Adjournment:—

Mr. STOREY: May I ask what is the business for to-morrow?

*Mr. JACKSON: It is proposed to take the Inland Revenue Regulation Bill, the Barracks Bill, and the Western Australia Bill.

It being One of the clock, Mr. Speaker adjourned the House without Question put.

House adjourned at One o'clock.

HOUSE OF LORDS,

Tuesday, 1st July, 1890.

PRIVATE BUSINESS.

GLASGOW POLICE BILL.

SECOND READING.

Order of the Day for the Second Reading, read.

EARL WEMYSS: My Lords, before this Bill is read a second time, I wish to call the attention of my noble Friend to a point which has been brought under my notice by persons who are interested in house property in Glasgow. It appears that by the Bill, as it at present stands, the Town Councils are empowered to shut up houses which they consider in an unfit state for habitation with an appeal only to the Sheriff; whereas, in the Public Health and Police Act for Scotland, there is an appeal to the Supreme Court, and in the Dundee Police Act there is also an appeal to the Supreme Court. Three successive Parliaments have approved of the principle which is embodied in the General Act to which I have referred, of an appeal lying to the Supreme Court. My Lords, it is not with the view at all of opposing this Bill that I venture to say these few words, but simply with the view of calling the attention of the noble Lord to this point, and I hope it will be well considered in Committee.

THE EARL OF LIMERICK: My Lords, I will see that the attention of my noble Friend the Chairman of Committees is called to this point when he returns. I understand that the noble Lord does not object now to the Second Reading of this Bill?

EARL WEMYSS: No.

Bill read 2ª and committed.

PARTNERSHIP BILL.—(No. 25.)

Reported from the Standing Committee for Bills relating to Law, &c., with amendments: The Report thereof received: Bill re-committed to a Committee of the Whole House on Friday next; and to be printed as amended. (No. 153.)

DEEDS OF ARRANGEMENT BILL. (No. 106.)

Reported from the Standing Committee for Bills relating to Law, &c., with an amendment: The Report thereof received; and Bill re-committed to a Committee of the Whole House on Thursday next.

INFECTIOUS DISEASE (PREVENTION BILL.—(No. 117.)

Reported from the Standing Commiteee for General Bills, with amendments: The Report thereof received; and Bill re-committed to a Committee of the Whole House on Thursday the 10th of July; and to be printed as amended. (No. 154.)

ELEMENTARY EDUCATION (BLIND AND DEAF) BILL.

A Bill to make better provision for the elementary education of blind and deaf children in England and Wales—Was presented by the Lord President (*V. Cranbrook*); read 1ª; to be printed; and to be read 2ª on Tuesday next. (No. 155.)

REGISTRATION OF VOTERS (BOROUGH OF BELFAST) BILL.—(No. 91.)

Amendment reported (according to order); and Bill to be read 3ª on Thursday next.

ANGLESEY ASSIZES AND QUARTER SESSIONS BILL.—(No. 125.)

Read 3ª (according to order), and passed.

SHERIFFS (ASSIZES EXPENSES) BILL. (No. 135.)

SECOND READING.

Order of the Day for the Second Reading, read.

*THE EARL OF CAMPERDOWN: My Lords, this Bill, which I am going to ask your Lordships to read a second time, deals with one point only—the expenses of High Sheriffs in connection with the Assizes. It is not, and does not pretend to be, a Bill dealing comprehensively with the whole question of the office of High Sheriff; and the reason why I have only introduced a limited Bill is because I think the general question of the office of High Sheriff is rather a question which ought to be dealt with by Her Majesty's Government than by a

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private Member of your Lordships' House. Now, this Bill deals, as I have said, with one point—a very important point, indeed, but with one point only—and if no opposition had been proposed to be offered to the Bill, it would have been necessary for me to say but a very few words to your Lordships in explanation; but as there is a Motion that it should be read a second time this day six months, I think it will be convenient to your Lordships if I very shortly remind you of what has passed in the way of inquiry and otherwise lately with reference to the office of High Sheriff. Two years ago your Lordships, on my Motion, granted a Committee to inquire into the office and duties of High Sheriffs. It was notorious, and had been notorious for a long time, that great anomalies existed both in the manner in which High Sheriffs were selected and in many of the duties which they were called upon to perform. The Chairman of that Committee was Lord Cranbrook, the Lord President of the Council, and there sat on the Committee several Members of your Lordships' House, who were very familiar with all matters of county business, more than one of whom had themselves served the office of High Sheriff, and the Lord Chief Justice of England was also a member of the Committee. The Report and the evidence were in due course laid upon the Table of the House, where any of your Lordships who wish can refer to them; but I will merely say, generally, that all the evidence tended in one direction; that upon the consideration of the Report the Committee was unanimous, and that the Report was signed by every member of the Committee. Now, my Lords, to put in a very few words the substance of our recommendations. We recommended that the High Sheriff should be relieved from all obligations in connection with legal duties and legal business which are in practice discharged by the Under Sheriff; we recommended that he should be relieved from all responsibility for executions; that there should be a Returning Officer appointed to make the Returns to Parliamentary and Coroners' elections; and we also recommended that the position of the Under Sheriff should be clearly defined, and that he should in future be a permanent salaried officer of the County Councils. Those, in short, were the recommendations; and I hoped that the Government might find themselves able soon to introduce a Bill dealing with the whole of our Report. I have once or twice received answers which were favourable from the learned Lord on the Woolsack; but as time went on, the answers became, I regret to say, less favourable; and as time was slipping away, I thought, on the whole, that it would be better if I were to introduce a Bill treating only that part of the question which touches the High Sheriff himself most nearly—I mean the question of the expenses which he is compelled to incur at the Assizes. Now, my Lords, this Bill, as I have said, is a Bill of very limited scope, and I ought here to express my acknowledgment to Lord Thring for his very kind assistance in drafting it; for if I had not had the advantage of the assistance of his great acquaintance with the law relating to High Sheriffs, I should not have been able, at this late period of the Session, to have laid a Bill upon the Table of this House. Now, my Lords, let us come to the Bill. The Bill proposes that the Joint Committee of the County Council, and the Justices of the Peace in every county in England and Wales, and the Grand Jury in each county in Ireland shall, with the concurrence of the Lord Chancellor, make regulations as to the mode in which the Judges are to be received at the Assizes in the respective counties. Therefore, the first proposal that I make is that regulations shall be laid down as to the manner in which Her Majesty's Judges are to be received at Assizes in future; and I would point out to your Lordships that this is recommended, in the first instance, by the witnesses. Sir Offley Wakeman, a very important witness indeed from Shropshire, and who had himself served as High Sheriff, told us it was very desirable, he thought, that some regulations should be laid down. In the Report your Lordships will see that we ourselves went so far as to recommend certain definite regulations. We said—

"We are of opinion that the county official bearing the title of High Sheriff should receive the Judges on circuit, and discharge the duties with regard to the Grand Jury and other honorary duties as at present; we recommend that he should be appointed as hitherto, but we

are of opinion that all the expenses of the office should be paid by the Treasury and the county jointly, including the expense of one well-appointed carriage with a pair of horses to convey the Judge on his business, and that trumpeters, javelin-men, and so on, be discontinued."

That is our recommendation. But it may be necessary that different regulations should be made for different counties, and I have therefore thought it best to include in this Bill the provision that the regulations should be made by the Joint Committee of the County Council and the Justices of the Peace, with the approval of the Lord Chancellor. My Lords, the reason why I have selected the Joint Committee of the County Council to act with the Justices of the Peace is because that Committee at the present time has the general charge and management of the police. If it had not been for this, I should not myself have proposed to place a duty of this sort in the hands of the General Committee, but rather in the hands of the County Council; but after consultation with those who are familiar with the working of County Councils, though it may be thought by others a matter of argument whether the Joint Committee is the right body, I think, on the whole, it is right to propose, in the first instance, that this duty should devolve upon the Joint Committee. When those regulations are made they are to be submitted to the Lord Chancellor for his concurrence, and the reason for that is that nothing may be done to diminish or interfere with the proper and dignified reception of Her Majesty's Judges. The Lord Chancellor, as the head of the law, will, of course, take every care that the regulations that are proposed by the Joint Committee shall be such as are fitting and proper. Now, the reason for proposing the regulations at all is this: that at the present time a High Sheriff has no guidance whatsoever as to the practice he ought to follow in receiving the Judges or doing anything else at the Assizes. There is no one to advise him in the matter at all, with the exception of the Under Sheriff. On the other hand, the Under Sheriff is practically a permanent officer, and, of course, it is a matter of very little concern to him what is or is not done, at all events, from the point of view of the expenditure, since all the expenses fall upon the Sheriff; and as many of your Lordships no doubt know, and you will find it was mentioned by the witnesses in evidence when any particular expenditure is proposed, and when the Sheriff is in doubt, the answer made to him is, "Oh, your predecessor did it, and, therefore, you ought to do it," and the consequence is, that whether it is right or not, the High Sheriff is naturally unwilling to appear to be stingy, and though he may not be by any means a rich man, many things in that way fall upon him which, if proper regulations were made, might possibly not devolve upon him. If regulations are made, a High Sheriff will have this advantage: that he can point to them, and he will know exactly what he ought to do. Of course, there is no reason why, if the High Sheriff wishes to spend more, and if he wishes to entertain, or do things of that sort, he should not do so. It will be at his discretion to do it; of course, that would be an expense properly falling upon himself, and would be properly borne by him. Your Lordships will remember that everyone who is pricked to act as High Sheriff is compelled to serve, and, therefore, if an honorary duty of this kind is thrust upon them, whether they wish it or whether they do not, surely, Parliament ought to lay down some regulations showing what they ought to do, and beyond the limits of which they ought not to be compelled to go. I do not think I need detain your Lordships at present, at all events, by making any further remarks, except this: that I do not know what smaller measure than this could possibly be proposed if we are to do anything at all in the way of defining what the expenses incurred by a High Sheriff are to be. I would ask your Lordships, can any measure more moderate than this be proposed? Certainly, the Members of the Committee, as I have shown your Lordships, all signed a Report, laying down certain definite recommendations; and until I have heard the reasons which may be given for proposing the rejection of this Bill, I should prefer to defer making any further remarks for my reply. I do not think I need trouble your Lordships any further now, and I will merely move the Second Reading of the Bill.

Moved, "That the Bill be now read 2a." —(*The Earl of Camperdown.*)

*LORD COLERIDGE: My Lords, I am sorry to be obliged to move that the Bill be read a second time this day six months. The noble Earl has very properly described it as a very small one, dealing with a very small portion of the office of High Sheriff. It seems to me that this Bill, is strictly speaking, a Bill that ought not to have been introduced in your Lordships' House. It is a Bill which certainly, as to the 2nd and the conclusion of the 3rd clause, ought to have been dealt with, first of all, by the House of Commons, because, as I understand, it is an attempt to impose charges on the rates; not because it affects any question of administration, which, as I understand, has always been a matter within your Lordships' thorough cognisance and jurisdiction, but because it deals with the whole of the county rates throughout England and Wales, and is really, therefore, as far as England and Wales is concerned, dealing with the subject of taxation. It is, therefore, a Bill which, in the main substance of it, ought to have been introduced into the House of Commons and not here. However, that, I suppose, can be got rid of by striking out the 2nd clause, and altering the conclusion of the 3rd clause so as to make it a Bill within your Lordships' jurisdiction. That might be done, and I rather gathered from the speech of the noble Earl that he proposed to do that; that he did not propose, as I gathered, to submit the Bill in its present form to your Lordships to-night. But that leaves only part of the 3rd clause. That will be really the whole of the Bill then left, and it is the 3rd clause to which, with the greatest respect to the noble Earl, I entertain great objection. The provision is that the expenses and so forth, which are incurred in the reception of the Judges at Assizes, shall be determined between the Joint Committee of the County Council and the Justices of the Peace in England and Wales, and the Grand Jury in Ireland, with the concurrence of the Lord Chancellor, and those authorities shall make regulations for the different counties in England which are to be observed, so that whatever a gentleman occupying the office of High Sheriff might do either in excess or diminution of those regulations, he would be guilty of a breach of the Act of Parliament if he did not observe the regulations which are laid down. First of all, I venture to submit that the persons who have to pay—that is, the County Council and the Justices, for the entertainment or reception of the Judges, are not the proper persons to make regulations for the expenses so incurred. Certainly they ought not to make them without some consultation with the persons who are most interested in the result of those regulations, and it would, I think, only be respectful to the Judges that they should be consulted. As long as you choose to maintain an Imperial system, as long as Judges are to be treated with dignity, and as long as a certain amount of ceremony is to be maintained, which certainly, to some minds, may seem excessive, though the custom has come down from time immemorial, as long as that is kept up I must say that I think it would only be decent and respectful to them that they should be consulted as to how they should be entertained in the counties to which they go. It is provided that this is not to be done except with the concurrence of the Lord Chancellor. About that I shall say a few words by-and-bye. But I would particularly desire to point out this—there is nothing in the slightest degree to provide that those regulations are to be the same. They cannot be the same in the different counties. What might be considered very fit and proper for large counties, such as Yorkshire or Lincolnshire, might be thought very unfit for Rutland or other small counties. There is no provision in this Bill for laying down lines, nor is there any suggestion of the lines which the County Council, the Justices of the Peace, and the Lord Chancellor should follow in making those regulations and ascertaining the sort of reception which the Judges should be entitled to. And, more than that, I am perfectly aware that in former days things have been done by Sheriffs to Judges and by Judges to Sheriffs which, for my own part, I would not in the least defend. Many things have been done, I think, in forgetfulness of the relative positions of the High Sheriff and the Judge which may very likely have caused annoyance in the

minds of the persons who have been subjected to them, and I should say very just annoyance. But all that was long ago. For my own part, I have been nearly 17 years upon the Bench, and during the whole time I have been a Judge I have never once—not once—had the smallest difficulty or trouble with any Sheriff with whom I have been brought in contact. They have always treated me, and I have certainly always tried to treat them, as gentlemen, and there has never been, as far as I know, the slightest desire expressed that there should be any regulation in the matter other than the regulation that decent provision should be made for the Judges in taking us to church and conducting us to our Courts. As far as I know, the expenses connected with Assizes which have to be incurred by the Sheriffs are necessarily small. A carriage and pair, which is all that is necessary, is all that a Sheriff is expected to provide, and the cost of that equipage in a small Assize town, where prices, I suppose, would not be very high, would not be a very heavy infliction; and I do not myself see what cause there is for interfering with that expense. At the same time, I can quite understand that, whatever the expense may be in the present state of the landed and agricultural interests, that the incidental expenses which have fallen upon Sheriffs, if even of very moderate amount, might sometimes be heavy for them to bear. Then, if it be said that the Judges should not be received by the Sheriffs at all, but that they should be provided for in some other way, or not at all, as is the case in America, I do not now say anything about. If that be thought right, let it be done by authority. But let us see, if regulations are to be made, that throughout England and Wales they are the same, and that the reception of the Judges is the same. Now, I said I would say a word or two about the Lord Chancellor as an official. These regulations, if they are passed, are to be passed with his concurrence. Of course, the Lord Chancellor is a great legal official of the country, and, if my noble and learned Friend on the Woolsack will allow me to say so, he is well acquainted with the subject; and if he should be succeeded by my noble Friend Lord Herschell, who also was a Common Lawyer, he, too, knows all about the circuits. If that were to be always the case that the Lord Chancellor should be familiar with these matters, I should not have a word to say. But during the time I have been on the Bench, I have known the office of Lord Chancellor to be occasionally filled by very great men and very great lawyers, who — speaking with all respect of them—knew no more about the circuits, or about the course of business or life on circuit, than any one of your Lordships who have never troubled your heads about them. I remember one of the greatest Law Lords, Lord Cairns. We used to have talks about those matters, and I think his views of the circuits were entirely misconceived. He apparently thought we went there, not to do much work, but to eat and drink, and to eat and drink to excess, and that the whole system was a system of guzzling, which it was high time should be put an end to. He used to speak in that manner and to that end. I am sure there was no man whom I admired more than Lord Cairns. He was a great lawyer, and within his sphere a great man; but he did not know the subject, and I do not think a man who is not acquainted with a subject is a fit person to lay down regulations about it. I have mentioned Lord Cairns' view of these circuit matters because, really, he had no information and no knowledge at all about them. I rather object, therefore, that in an Act of Parliament which is fixing, not upon this man or that man, but upon whoever may fill an office which may be held at one time by a person who is thoroughly acquainted with the subject, and at another time by a person who is unacquainted with it, the only check which the Judges can have upon the propriety of the regulations, is to be an officer who may be fit or unfit to check them—unfit from no fault of his own, but because his professional life may have been otherwise cast. Further, I think, if I may be pardoned for saying so, and if the noble Earl will forgive me, this is an instance of one of those small bits of legislation which would be much better left alone. Nobody, as far as I know, who are conversant with these matters, complains of the present state of things, and those who do complain have not very much knowledge of the matter or the work. If it

is to be dealt with, it is a matter which should be dealt with by the Government of the country. All intelligent minds possessing knowledge of it either approve of the present sytem or of a modified system of reception of Judges on Assize. Destroy it altogether if you please, though I should regret it, but do not take this sort of half measure in which the persons who will be the most interested in cutting down and diminishing the reception are to settle the regulations, those regulations to be afterwards settled by a person who knows very little about the matter. I therefore beg leave to move the Amendment which stands in my name.

Amendment moved, to leave out the word "now," and add at the end of the Motion the words "this day six months."—(*The Lord Coleridge.*)

LORD ESHER: My Lords, in the first place, I desire to say that I am wholly disinterested in this matter, because I can never be called upon, I think, to go circuit again, having been a Judge now for 21 years. The next remark I wish to make is this: I have waited with some curiosity to hear what was the chief point in this Bill; and, after having listened to all that has been said, it seems to me that its chief point is to get rid on the part of the Sheriffs of the payment of their expenses. My objection to the Bill is that I do not believe it can be worked in any sensible way unless every line of it is altered. Of all the extraordinary compositions that I have ever seen applicable to real business this seems to me to be the most extraordinary. These expenses are the expenses of the High Sheriff in receiving and protecting the Judges. What the High Sheriff does now to protect the Judges I am sure I do not know. Whoever drew this Bill must, I should imagine, have been thinking of the times when, I believe, upon the journey from Newcastle to Carlisle the High Sheriff had to protect the Judges against marauding Scots. In no other way does the Sheriff protect the Judges. I heard somebody just now say the Sheriffs protected them by the javelin-men, but there are no such people as javelin-men now.

*LORD COLERIDGE: I can assure the noble Lord there are, in some cases.

Lord Coleridge

LORD ESHER: I can only say I have not seen them; at all events, for the last 15 years, and I rather think there is an Act of Parliament which has done away with them. The expenses of the Sheriffs are, further, in providing the necessary accommodation in keeping order within and about the precincts of the Courts of Assize. Then it says those expenses "are in this Act referred to Assize expenses of the Sheriff." The words never appear again in the Act, but that is a small matter. Then it provides that they shall be defrayed out of the county rate in like manner as the expenses of maintaining or providing Judge's lodgings may be defrayed. That, no doubt, is very pleasant for the High Sheriff. It would seem that the recommendation of the Committee is to do away with everything the High Sheriff has to do, except the mere reception of the Judges. No doubt they would like to be paid their expenses; and if you leave that clause as it is, they would have to be paid their expenses, whatever they might be. Let us see what it means. Supposing the High Sheriff now thinks it right to receive the Judges, and to protect them, and to provide for them with decency, and he is allowed to do so by the County Council, the Sheriff would then send in his charges. Are they so very carefully protected by this Bill? It says—

"The amount of expenses claimed by the Sheriff out of the county rate shall be submitted to the Treasury."

Now, the Treasury may be in some respects the most estimable Department in the Kingdom, though a great many people think it is the most detestable office in the Kingdom; and if what the High Sheriff is to get depends upon what the Treasury will allow, I am afraid he will very often find himself very badly off indeed, and that he will be treated by the Treasury, from the way in which they often treat matters, as if they were the stingiest people in the world. And the decision of the Treasury as to whether the sum claimed by the Sheriff is payable out of the county rate is to be final. So that, after all, the Sheriffs are handed over for the purpose of getting their expenses to the Treasury, and they must look to the Treasury for a final order. Then, that

being the provision for payment, the 2nd clause is that—

"The Joint Committee of the County Council and of the Justices of the Peace in each county in England and Wales and the Grand Jury in Ireland"—

are to act. Will anybody tell me how to read that? I should have thought it meant the County Council and the Justices of the Peace in England and Wales, and the County Council and Grand Jury in Ireland. That is the way I should read the Bill according to its ordinary grammatical construction. But if so, there are no County Councils in Ireland, and, therefore, the thing cannot be worked—

"And the Grand Jury in each county in Ireland shall, with the concurrence of the Lord Chancellor"—

Is this to apply to England and Ireland? Which Lord Chancellor? Is the Lord Chancellor of England to concur with the Lord Chancellor of Ireland, or whatever the highest legal authority in Ireland may be? The Bill has been drawn without thought, that is the truth of it.

"Make regulations as to the mode in which, in their respective counties, the Judges are to be received at the Assizes, and otherwise as to the character and extent of the duties to be discharged by the High Sheriff with reference to the Judges and Assizes."

Now, the regulations under this Bill may be different in every county in England. They may be different as to character and not merely in detail; their character will depend chiefly upon the nature of the County Council in each county, and the Lord Chancellor will have either to set himself against the County Council or to agree with it. If the Lord Chancellor does not agree with the County Council in any county, what is to happen? The state of things is to remain as it is in that county. In the next county the Lord Chancellor may agree with the County Council, and then there will be one law in one county and another law in another county, and the regulations may be in every county upon a different principle altogether. Then, they are only to agree as to the mode in which the Judges are to be received. In some counties they may propose that the Judge shall be received, and shall find his own carriage. In other counties they will, perhaps, allow him a carriage and pair of horses, while in some other county they may insist that he shall take whatever vehicle is left at the inn after everybody else is provided for; and so you will go on. But the answer will be, I suppose, that the Lord Chancellor will not consent to that. Probably he would not consent where there is a violent County Council which wants to cut down the expense of receiving the Judges to nothing at all. Well, then, in that county I say the law will remain as it is. Then as to the character and extent of the duties to be discharged by the High Sheriff with reference to the Judges at Assizes. What are the other duties? Nobody knows. This Bill does not say what they are. The High Sheriff, of course, has a duty. He is now responsible for the decent reception and the decent maintenance of the Judges. But here he will have to act according to the regulations, "and such regulations shall be duly observed." Duly observed by whom? Is it by the Sheriff or by the Judge? And this is to be an Act of Parliament! The duties "shall be duly observed." That is to say, these regulations shall have the force of an Act of Parliament. What is to happen if the High Sheriff does not observe them? Is he to be guilty of a misdemeanour because he has not observed, or obeyed, an Act of Parliament? What is to happen to the Judges? Apparently they are to change places with the County Council. Instead of the County Council being responsible to them, they are to be responsible to the County Council. In fact, there is not one provision, as far as I can see, which will not practically alter the relative positions of the Judge and Sheriff, except to do them harm. Where have there been any differences between the High Sheriffs and the Judges? I was told a few minutes ago that two Judges—they are the only Judges in existence certainly that ever I heard of—had fined a High Sheriff. I can only recollect hearing of one disagreement between a Judge and a High Sheriff. I think it was in Wales, and the Judge was the late Mr. Justice Cresswell. The High Sheriff proposed to "receive him" in a broken-down hackney coach. Mr. Justice Cresswell said he "would not risk his neck in it." The High Sheriff said, "Do as you like; I shall get into it and go." But the learned Judge said, "No, you

have to attend upon me; I mean to walk into the town, as you will not provide me with a proper vehicle, and you must walk with me." And I recollect being myself once introduced into a lodging where there was no bell that would ring; but I made no fuss about it: I only asked the High Sheriff to lend me his dog-whistle, and he was kind enough to let me have it. The result was, that while I was there, every time I wanted my servant either I, or my marshall, had to go to the door, open it, and blow the High Sheriffs' dog-whistle until we could get the servant to come. I never had a difference with a High Sheriff. On the contrary; when a High Sheriff began to talk about the expenses, and I do not know what, I have always said to him, "Now, has not this been the happiest fortnight in your life? Here you have been in Court every day, which has amused you exceedingly, and you have received every consideration;" and he has always said it was the happiest time in his life. What have they to pay now? It is said there are certain expenses now. But there were exceedingly heavy expenses formerly. I do not believe at the present time that in nine counties out of ten the expenses are really heavy. The office is never imposed upon anybody who can make it clear to the Committee of the Privy Council that he is not able to sustain the expense. That is always a sufficient excuse. Therefore it is that I think people who are able should not object to bear the expense. They only have to bear it once in their lives. It comes only once upon an estate, I think, until there is a succession. They have to pay a sum which, I venture to say, in no county in England can be estimated at more than from £400 to £500, and I think it can be done for much less in most of the counties. And this is the dreadful infliction upon the estates of country gentlemen which is to induce a Bill of such a character. It is an unworkable Bill, which in any case would have to be eviscerated and filled up again for the purpose of altering what has been done now for so long a time. The truth is, the Bill has not been well-considered. If regulations are to be made, they ought to be made by some authority which will make them on the same principle for all the counties in England. It ought not to be left as it is in this Bill. And what is more: this is only the smallest part of the subject which the Committee we have heard of recommended should be fully treated. The whole of that subject should be treated. One Bill should be brought in which would settle the whole matter. If you have a number of little Bills passed to settle each minute point you will have a legislation which nobody will be able to construe, and which nobody will be able to put into action. I second the Amendment of my noble Friend.

*THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK): My Lords, I sat on the Committee to which my noble Friend who has brought in this Bill referred, and heard with a good deal of interest the evidence taken there. Apart from the guidance afforded by that evidence, I have had other means also of arriving at a different conclusion from that which has been expressed by the noble and learned Lord, the Master of the Rolls. This Bill is not introduced for the purpose of putting an end to differences, if they exist, between Judges and Sheriffs. The Judge may quarrel with the Sheriff and the Sheriff may quarrel with the Judge just as before, only under these different circumstances: that some rules will be laid down under which the Sheriff will act, and the Judge will see that the Sheriff cannot be called upon to go beyond them, which is not the case at present. My noble Friend says there is no real grievance in this matter; but there is a very real grievance. There is one county at this moment in which the Sheriff, so far from having had to serve only once in his life, is obliged to serve a second time, because there is nobody else who is ready to bear the burden of the office. Nothing can be so distasteful to gentlemen as to have to come and disclose their private affairs, their estate accounts, and to show that, in consequence of debts to their bankers or otherwise, they are not in a position to pay even that small sum which has been mentioned of the £400 or £500 which the dignity of the office entails. There are gentlemen who, with all the appearance of wealth, are really living in the greatest state of poverty possible. And even if a man is called upon only once in his life, as the noble

and learned Lord has said, to serve as Sheriff, yet if he dies soon afterwards his son, with perhaps great debts upon the estate and Succession Duty to pay, may be called upon at once to serve. My Lords, the times are completely changed. In the old times, no doubt, and in some counties even in the present day, the Shrievalty is rather sought after than avoided; but in the agricultural counties throughout England it has become a real burden. Country squires have not the command they formerly had of wealth; men have not the margin over from their incomes that they formerly had; and therefore they are obliged to look out and see in what way they can curtail expenditure. My noble and learned Friend says the Bill requires to be eviscerated, and no doubt he can eviscerate anything, and he has often done so with Acts of Parliament in the able Judgments which we know he has delivered. But the Bill has one chief point, and I think it is a point upon which it is worth while taking the sense of the House. The country calls upon these gentlemen to serve, and it is, I think, a question upon which it is worth while to take the sense of your Lordships—Ought the State to call upon a gentleman to undertake those duties and bear the expenses connected with them, whether he will or not? Ought you to call upon anybody you may fix upon to come and disclose to you his reasons for not desiring to serve, and to lay before you the accounts of his estate in order to show that he is not in a position to undertake those duties? Is it not part of the duty that belongs to a county (in many counties I believe now the Judges' lodgings are provided by the county) to find the money required in connection with the visits of the Judges to the Assize towns? In many places already the expenses are found by the counties, and not by the Sheriffs. I do not believe that the County Councils would so stint or cut down the expenses as to make the ceremonies associated with the visits of the Judges ridiculous. I do not think they would be parsimonious, though, I believe, they would use a judicious economy, which seems to me a very desirable thing to do in these matters. I can remember a time when the High Sheriff in Yorkshire rode in with his tenantry on horseback and made a great show; but all that kind of display died out gradually. There were some Judges who did not like it, and I remember in particular one Judge who always avoided anything of the kind, who used to carry his own bag to the carriage waiting for him, and wished as much as possible to get rid of the ceremony he was surrounded with. Still, I think the reception of the Judges is rather looked forward to as an event in Assize towns. It is expected that the Judge should go with trumpeters and in great state to their Courts; but I have observed in many cases after the first appearance, though the Judge may have come in with great solemnity he is allowed to go to and from the Courts without much show of respect or assemblages to look at him. At first he goes into the town, goes to church, the sermon is preached, and he returns with ceremony, and altogether no doubt a great deal is thought of the first day of the Assize, but after the first day the ceremonies are very much abridged; yet all the expenditure for the High Sheriff goes on, he is obliged to find the horses and carriage, and, of course, there are other expenses, even though in some cases no longer the cost of javelin-men, and altogether he is put to very heavy expense. It so appeared to the Committee on which I sat. There are some High Sheriffs who have tried to cut down expenses as much as possible, and some have brought them very low indeed, while at the same time they have very much curtailed the duties they owe to the Judges; and it is very difficult to say, if you leave it absolutely to the discretion of the Sheriffs, so long as there is a decent appearance made that any fault can be found. I do not know that in that case the Judge could interfere with him. But I think in almost every case the High Sheriff has done his best, and I cannot help thinking that the time has now come when we might take some step towards making a change. My noble and learned Friend has said this cannot be worked, and objection was taken to the concurrence of the Lord Chancellor. I do not see that that is a ground for objecting to the Second Reading, though it may be made a ground of objection in Committee, as to the mode of framing regula-

tions in regard to these expenses. With regard to what the noble and learned Lord Coleridge said about the Bill being improperly brought into this House, this is a Bill not affecting taxes, but the rates, and Bills are constantly introduced in your Lordships' House which affect the rates. There is nothing irregular in it, therefore, in that respect. With regard also to the Treasury being the arbiter. The Treasury is not arbiter upon grounds which are open to it to settle for itself, but it must be guided by the regulations as to the expenses to which the Sheriff is subject. Therefore, the Treasury will not have an absolute discretion in the matter, but will be rather like a public auditor, having to see that no expenses are incurred which do not come within the ordinary regulations. I do not think it necessary to defend the drafting of the Bill; that is a matter to be examined in Committee; but I hope your Lordships will, at all events, express your opinion that the time has come when these expenses ought no longer to be imposed as a tax on individuals who are totally unable to bear them.

*LORD MORRIS: My Lords, probably the House will pardon me for intruding for a few moments, because I observe that Ireland has been introduced into this Bill apparently at the eleventh hour, and I should imagine without the slightest consideration of what the practice is in Ireland. The 2nd clause of the Bill provides that the expenses of the High Sheriff shall, so far as they are expenses which would before the passing of this Act have been defrayed by the Treasury or out of the County Rate, be defrayed out of the County Rate in like manner, as the expenses of providing and maintaining Judges' lodgings are now by law defrayed and shall be included in the costs of the Assize, within the meaning of the Local Government Act of 1888. Now, that Act is entirely inapplicable to Ireland. The lodgings of the Judges in Ireland are provided not by the Sheriff, but by the Treasury. That expense is paid by the Treasury, and there is no Act of Parliament that I am aware of which is applicable to Ireland called the Local Government Act of 1888. How expenses are to be measured within the meaning of an Act which does not exist at all in the country to which this well-considered Bill is to apply is not explained. The 3rd clause of the Bill is that—

"The amount of expenses claimed by any Sheriff out of a County Rate shall be submitted to the Treasury together with his accounts under the Sheriffs Act, 1887."

There is no such Act in Ireland; so that whoever has drafted this Act and put Ireland in it has done so without much consideration, and it is not alone that he has done it without much consideration, but he has apparently done it without any consideration. I cannot conceive any Bill being moved or introduced with a more infinitesimal regard to the state of law, the practice, or anything like acquaintance with that portion of the United Kingdom, which is sometimes not quite considered in these Acts of Parliament; and, indeed, I have observed that everybody who has addressed your Lordships' House up to this moment has spoken of this Bill as if it merely referred to England. I have not heard one reference to Ireland to which it is supposed to apply from any noble Lord who has addressed your Lordships. We have had illustrations and anecdotes to a considerable extent as regards what has happened in England. I can speak with even a longer experience than my noble Friend the Master of the Rolls, having been a Judge going circuit for 22 years, one year more, I regret to say, than my noble Friend, and I have never heard of any difficulties in Ireland as to the reception of the Judges. The lodgings are not provided, as I have already said, by the Sheriff. He provides the carriage by which they are brought to their lodgings, and go every day to the Courts. I may say it is the habit in Ireland for the Judges to go to church or chapel as private individuals, and are not accompanied by the High Sheriff. I quite agree with the Lord President of the Council, that this is a subject which ought to be legislated upon, but as regards the expenses which the High Sheriffs are put to in Ireland in connection with receiving the Judges going circuit, they would be, I should say, only about £10 each Assizes in many counties. In Ireland the High Sheriffs enter into a contract with the Sub-sheriff, by which they agree to pay him a certain sum to indemnify him, not for entertaining the Judges, but for his duties, and against

all actions that may be brought against him. The matter has, in my opinion, really reached a crisis in Ireland, for, in consequence of the series of so-called remedial measures that have been applied in Ireland to the landed gentry, persons desiring to fill the High Shrievalty are getting to be within a very narrow circuit, and it is extremely hard to find anybody who will serve the office at all. This measure could bring no relief of a practical character in Ireland, even if it could work there, because, as I have said already, the expenses of actually receiving the Judges is very small. The sum paid to the Sub-sheriff, in some cases £200 or £300, is simply for acting as Sub-sheriff, not for honouring the Judge. I am very sorry a Bill of this sort should have been brought in, merely touching, as it does, the fringe of the question. I believe it would not work in Ireland, even if properly drafted, and it would be an almost inappreciable relief to the High Sheriff in Ireland, whereas it would be more convenient if he were relieved from indemnifying the sub-sheriff, who should be appointed with a regular salary, or if something of that kind could be carried out. As the Lord President of the Council has said it is the opinion of the Government that such a Bill should be brought in, I would not vote against them; but, as far as I can see, this Bill would not be of any great practical utility in Ireland.

*LORD BELPER: My Lords, as I was Chairman of the Quarter Sessions in a county which took up this question—we having passed a Resolution upon it, I think, two years ago before the Committee of your Lordships' House sat—I should like to say a few words upon it. I must say that I think the noble and learned Lords who have addressed the House have ignored the fact that there is, undoubtedly, a very strong feeling in the country that the time has now come when you can no longer place what is really a part of the administration of justice as a charge upon the pocket of a single individual, and that individual very frequently a gentleman who is quite unable to bear any extra expense, and who, during the last few years, certainly has not been in a position to spend money on what does not concern him personally. I cordially support my noble Friend who has brought in this Bill, for that reason. But I must say I rather regret the Bill does not go a little further. I have been at some pains to get the particulars in a county in which I live of the actual proportion of the Sheriff's expenses which this Bill would really deal with. I think the county to which I refer may be taken to be a tolerably typical county, though, of course, the custom as to expenditure differs in various counties exceedingly. I find that the expenditure which would be dealt with by this Bill would be less than two-fifths of the whole of the High Sheriff's expenditure. I think there is a very important consideration, which has not been noticed by any of the noble Lords who have addressed you this evening, and that is the economical part of the question. Even with regard to the part of it which this Bill deals with, I believe that precisely the same amount of reception and State might be kept up, but at a very much smaller expense. I have looked into the figures, and I believe you can save on this head alone between 40 and 50 per cent. of the present expenditure. You would have, in the first place, the same body acting every year instead of successive individuals. At present the High Sheriff has absolutely no control over the expenditure. Every year the High Sheriff has to get his new liveries, new coach, and new harness, and I believe the thing might be done, with exactly the same amount of proper respect to the Judges, at much less expense. But that part of the expenses which this Bill does not deal with is more than two-fifths of the total expenses. At present I am leaving out of consideration the personal expenses of the High Sheriff. I believe, if your Lordships pass this Bill, in the county with which I am connected one great economy might be effected at once, that is if you choose to put it into this Bill, that you might absolutely abolish the office of Under Sheriff. I do not know whether the practice is general, but in the county I am referring to it has been the custom of the High Sheriff to appoint his own solicitor as Under Sheriff, and he then appoints an acting Under Sheriff, who does the whole of the work and takes the fees. But, practically, the Under Sheriff does nothing except to assure the High Sheriff that everything is being properly done, and to make whatever arrange-

ments have to be made in a way that is satisfactory to the High Sheriff who has appointed him. Under this head you would save something like 20 per cent. of the whole expenditure, if you abolish the office of Under Sheriff, and let the officer acting as Under Sheriff be appointed a permanent officer, as was suggested by the Committee of your Lordships' House. With regard to the Sheriff himself, there are, as has been pointed out, certain fees payable on taking office. I believe it is the custom for the Under Sheriff, the acting Under Sheriff, and, I believe, the Sheriff's Officer, all to give bonds of indemnity to the High Sheriff in case they should do anything illegal during the time the High Sheriff remains in office. Now, those bonds of indemnity are made out afresh every year, although they may be exactly the same persons who are acting as Under Sheriff and Sheriff's Officer. There is very considerable expense in regard to those fees on the Sheriff taking office, which might be avoided if the County Council took the bond of indemnity, and themselves had this appointment of the Under Sheriff. Then, my Lords, there are other charges and fees which are never really disputed. The Sheriff when he comes into office cannot do that. He simply asks, "What are the fees?" and pays them, as he is told has always been the custom. If the County Council, or some such authority, became empowered to arrange and revise, from time to time, the scale of fees charged, I believe on that head alone there would be found to be considerable economy. My Lords, I do not know whether the noble Lord who has charge of the Bill would be willing, if the Bill is read a second time now, to accept any enlargement of its scope in this direction. I venture to think it will be rather unfortunate if this part of the question is carried now without any consideration being given to the question of the Under Sheriff's expenditure. I do not wish to trouble your Lordships at any greater length. I would only venture to point out, with regard to one remark which was made by the Lord Chief Justice, that I cannot myself see that in the Bill there is anything which would prevent the Sheriffs from entertaining the Judges in a more hospitable or even splendid manner, if they wished to do so. I believe the Bill only says that certain things are to be done, and that those things will have to be done with the approval of the Lord Chancellor. I believe in some counties it is the custom for the Sheriff, he being a rich man, to provide a four-in-hand to drive the learned Judges into the country after the completion of their work in the Courts. No doubt that would be extremely agreeable to the Judges, but I do not think there is anything in the Bill which would prevent a High Sheriff providing a four-in-hand, if he wished to do so. Quite the contrary; because if you take part of the necessary expenses off his shoulders he will have a little more to spend in showing hospitality to the Judges and to his own friends. However that may be, there is certainly a strong feeling prevalent throughout the country with respect to this relic of the olden times. I, therefore, trust that your Lordships will pass the Second Reading of the Bill, and also that my noble Friend in charge of it will be disposed to receive Amendments, somewhat extending its scope, especially with regard to doing away with the office of Under Sheriff.

THE EARL OF KIMBERLEY: My Lords, perhaps I may be allowed to say a few words in support of my noble Friend behind me. In the part of the country to which I belong I know the feeling is exceedingly strong upon the subject, and it is thought that the levying of these sums upon the gentlemen who have to serve the office of High Sheriff is an exceedingly hard and unjust practice with regard to the reception of the Judges on circuit. I would just point out that in these matters times have very much changed. Judges in London are, I think, treated with as much respect as in any other part of the country, but it has not been thought necessary that they should be attended with a kind of pageant as they go to their Courts. No one would say, of course, that proper arrangements should not be made, or that on these occasions it may not be necessary to have some kind of reception of high officers connected with the administration of justice, but I assure noble and learned Lords that they will scarcely be aware of the kind of remarks which are made in the country regarding the

present practice. It is looked upon altogether as belonging to a different state of things. In former times, when railway communication did not exist, and people rarely left their own country, no doubt the entry of the Judges into an Assize town was a very unusual occasion, and their reception was an impressive ceremony. When the Judges came down to the country from the Metropolis in those days, it was very natural that they should be received with great ceremony. But those times have long passed away. People are now in the habit of travelling about by railroad all over the country, and when one hears that the Judges are to be received in the present rather extraordinary fashion, I confess it excites, as no doubt it does with many people, a feeling of anything but respect. I think, my Lords, the time has, therefore, come when it is desirable that there should be some regulations laid down in accordance with the customs and habits of the present day, and which should be, as far as possible, the same in each county and all over the country. Of course, there might be some differences maintained, the wishes of particular counties might be consulted, but, practically, it would be the same thing throughout most parts of the country. I do not think there is any cause to fear that the County Councils or the Joint Committee would treat the Judges with scant respect. On the contrary, I believe that each County Council, as a body, would wish that the county they represent should distinguish itself by acting with proper respect to Her Majesty's Judges, and I think in that respect there will be nothing to regret. But I do earnestly hope the question will not be left in its present very unsatisfactory position. If noble and learned Lords will pardon me for saying so, Judges, like other people, are apt sometimes to show a want of discretion; and though in the vast majority of cases the Judges in this respect give no cause for disagreement with the Sheriffs, yet I must say I have heard anecdotes as to proceedings of learned Judges in regard to the manner of their reception, which I would much rather not have been acquainted with. Then, too, I must say that many people think, though it is quite proper that the Sheriffs should receive the Judges, it is not decorous, or necessary, or proper, that the Sheriff should dance attendance on them during the whole time of the Assizes. The Sheriff is a gentleman of high position, and to place him in that position is not fitting. He should receive the Judges, and after that they should receive the same attention as other gentlemen. I have only risen for the purpose of supporting what my noble Friend has said. I hope we shall read the Bill a second time, and any question of Amendments can be dealt with in Committee. The question of Ireland is a somewhat different one, but that can, no doubt, be dealt with in another manner.

*THE EARL OF CAMPERDOWN: My Lords, after the discussion which has taken place, I do not think it is necessary for me to detain your Lordships very long. But there are one or two points which have been raised which I should like to answer, because it might be thought not respectful if I did not answer certain objections which noble and learned Lords have taken. First, there is the question of form, which is objected to. My Lords, when the Bill is leaving this House, the clause, according to the invariable practice, which refers to the rates will be struck out and re-inserted after it has left the House. That is an answer to that objection. Then, my Lords, the next objection which was taken, was that the Lord Chancellor is not the proper official to entrust with the supervision of these regulations, because sometimes the Lord Chancellor is a person who has not been connected with Common Law, and has not gone circuit. I apprehend that the Lord Chancellor, as head of the law, will, of course, consult the Judges. I think there is no Lord Chancellor who would not take such a course, and I think that that, at all events, is not a ground upon which your Lordships should refuse to read this Bill a second time. Then, it is said there have been no complaints. I can understand that noble and learned Lords who were not on the Committee may not be aware of the complaints; but I think the Lord Chief Justice, who sat on the Committee and heard the evidence, will not say that no complaints were laid before the Committee. If any of your Lordships will read the evidence you will see the statement made by the Lord President is exactly correct, that

many persons do feel that they are put to expense, and occasionally to unnecessary expense, in these matters, and that they are desirous some rules and regulations should be laid down. As has been very truly said, the object of this Bill is to lay down regulations, and not in any way to treat the Judges with disrespect. I should certainly not be the person to propose a measure which would have that effect. With regard to most of the other objections which have been taken, they can, I think, be perfectly well dealt with in Committee. My Lords, this Bill, I hope, will be referred to Committee in the ordinary way, and I can only say that I shall be perfectly ready to consider any Amendments which noble Lords may send to me, if they think there are points in the Bill which are not properly treated—for instance, let us say, the question of Ireland. Lord Morris said this Bill does not in certain respects refer properly to Ireland.

*LORD MORRIS: Not in any respect.

*THE EARL OF CAMPERDOWN: Very well, in any respect. As the measure is a very small one indeed, I shall be glad to receive from him an Amendment making it so refer. I apprehend there is nothing so different in the nature of an English county to an Irish county as to make it impossible for words to be inserted which will enable the Grand Jury in Ireland to act in exactly the same way as the County Council does in England. Then the last question I have to answer is whether I should be prepared to enlarge the scope of my Bill in Committee. Well, I confess I am rather afraid to answer that question, because, owing to the fortuitous concourse of learned Judges here to-night, I should be rather afraid lest, if I enlarged the Bill, it should meet with more serious opposition. It is so far practically unopposed, because it is such a little one, but I very much fear if I proposed to deal more largely with the office of High Sheriff the objection would be such as to make it impossible for it to pass this Session.

THE LORD CHANCELLOR: My Lords, I have very little to add. First with regard to the remarks which have been made by my noble and learned Friend the Lord Chief Justice, I would appeal to him whether a great many of the objections which he has urged might not, at all events, be left to Committee, so that your Lordships need not be put to the trouble of dividing upon this Bill. My noble Friend, I think, has never served upon the Committee, when applications are constantly made, from time to time, for the removal of certain names from the list of Sheriffs. If he had ever undergone that experience, I am sure he would have been under an entirely different impression as to whether or not there are complaints made with reference to performing the office of High Sheriff. With reference to the observations which were made by the Master of the Rolls, I am bound to tell him he is greatly in error in two respects. In the first place, he said he is no longer liable to go on circuit. I think he will see that is an error which may be cured when I tell him that he is liable.

LORD ESHER: I think nothing will ever induce me to go.

THE LORD CHANCELLOR: I am afraid my noble and learned Friend is like some of those gentlemen who are called upon to act as High Sheriff; he would rather not serve. His second error is one which he could not have fallen into if he did go circuit—namely, that the javelin-men are abolished. That is entirely an error; no Act of Parliament has abolished the javelin-men at all. What has been done is this: An Act of Parliament has been passed which enables the High Sheriff, with the consent of Quarter Sessions, to employ police instead of javelin-men; but that can only be done if the Quarter Sessions consent. Only last year an application was made to me by a High Sheriff to know what he was to do because the Court of Quarter Sessions had refused to allow the use of the police. The High Sheriffs are now obliged, I believe, to provide a certain number of men in uniform—they are not called "javelin-men"—to attend the Judges on circuit. In all the circumstances, I consider there is an evil which ought to be dealt with, that there is a great subject of grievance in this matter, and that gentlemen throughout the country who are likely to be called upon to fill that office should be considered by your Lordships. Some of the objections to the Bill, as I have said, might be dealt with in Committee, and, in particular, that which was pointed out with regard to the Lord Chancellor

making arrangements with the County Councils. I can assure your Lordships, if the Bill goes into Committee, and the question is raised as to who is the proper person to make regulations with the County Councils, I shall myself move that the Lord Chief Justice shall do it. That part of the objection, therefore, that the Lord Chancellor may not be a person who is acquainted with the circuits will be removed. Under the circumstances, I hope your Lordships will not think it necessary to divide the House on the question, but will allow the Bill to be read a second time.

*LORD COLERIDGE: After the exceedingly seductive appeal which has been made by my noble and learned Friend I will certainly accede to his suggestion, and I will not trouble your Lordships to go to a Division.

Amendment (by leave of the House) withdrawn: Bill read 2ª, and committed to the Standing Committee for General Bills.

CONTAGIOUS DISEASES (ANIMALS) (PLEURO-PNEUMONIA) BILL.—(No. 105.)

THIRD READING.

Order of the Day for the Third Reading, read.

*THE EARL OF JERSEY: My Lords, when this Bill was passed through Committee there was an understanding that certain points should be referred for further consideration. There were three points raised: the first was whether more power should be taken to appoint additional officers, besides the Inspectors referred to in the Act; the second point was whether it might not be desirable to make the payment of compensation retrospective, so that persons owning animals which were slaughtered before the 1st September might be compensated for them under the Act, instead of out of the rates, as at present; and the third point was whether it might not be advisable to take further powers to withhold compensation for cattle slaughtered for having been in contact with diseased animals in cases where the owners had concealed the existence of the disease. These three points have been considered by the Minister of Agriculture, and he thinks that, under the Bill as it stands, there is ample power to appoint a sufficient number of Inspectors and other officers. There would be no fear of too many salaried officers being appointed, as any additional work would be done by Sub-Inspectors, who would only be paid by fees, except in the case of a general outbreak, when special arrangements would be made. With regard to the suggestion that the Bill should be made to apply to cattle slaughtered before the date when it comes into operation, as the provision in the Bill was founded on a Resolution of the House of Commons, it would require a separate Resolution to carry out the suggestion, and, considering the difficulties of passing measures quickly, it would not be desirable to make that change. As to the third point, there has naturally been considerable difference of opinion, but the President of the Board of Agriculture has carefully considered the matter, and has come to the conclusion that under the Act of 1878, and the present measure, he has sufficient powers to cope with any outbreak of pleuro-pneumonia which may arise, and that it will not be necessary to extend his powers by this Bill. No doubt it is very desirable that evil doers should be punished, but the President of the Board thinks he has sufficient power. If afterwards it is found desirable to enlarge his powers, it would be quite possible to get a short measure passed with this object in another Session of Parliament. I hope, therefore, it will not be considered necessary by those who take an interest in this matter to insist upon any change being made in the Bill.

*LORD MORRIS: My Lords, on the occasion of the Second Reading of this Bill, the noble Lord opposite mentioned that there was a very strong belief in England, or in his part of the country, that this disease was propagated from Ireland. He spoke of the Government of the day as not having acted with great vigour in endeavouring to stamp it out, and said it was much more difficult to enforce the orders in Ireland than in England. I will take this opportunity, not having been present when the Bill went into Committee, of dissenting entirely, not only from what the noble Lord stated as being a matter of belief, but from the notion that there is any good ground for it. At the time of the Second Reading of the Bill there were only two places in-

fected, the North and South Dublin Unions. An Order was made in February, 1889, declaring that no cattle belonging to those districts should be exported to Great Britain, or exposed for sale in the Metropolitan Market on the ordinary day; and further, all cattle in the defined districts must be handed on hoof and horn, and can only be moved out of the districts on licence; and every addition or diminution of cattle moved from the districts must be reported to the police, who exercise the strictest supervision over the defined districts and prosecute. Inspectors are specially employed and engaged in visiting the defined districts. Any diseased cattle are at once slaughtered, and all cattle in contact. Pleuro-pneumonia has decreased. In 1887 there were 240 outbreaks, and 819 cattle attacked. In 1888 only 181 cases and 522 attacked. In 1889, 108 outbreaks and 184 cattle attacked. All cases reported by the Board of Agriculture in England are at once inquired into. In all cases, it appeared that the cattle were not affected when leaving Ireland. I understand that a serious outbreak in Norfolk was not reported to the authorities there for months. The disease is much more likely to have spread in this manner from the County of Norfolk than by cattle from Ireland. I think, therefore, this impression, which the noble Earl says is so strongly felt in England, appears to be founded on no facts. I feel that the Government have acted with the greatest vigour in stamping out pleuro-pneumonia, the same course as they followed with regard to moral plagues. I can only say that the Orders have been carried out in Ireland as stringently as possible, and I do not see that more difficulty exists in enforcing them in Ireland than in England. It appears to me that in England really you have only adopted the system which has been in force in Ireland. The prevalent belief in England which the noble Earl referred to is wholly unfounded, and I suppose the only way to meet an unfounded statement of belief is to contradict it on the first occasion that one can.

THE EARL OF KIMBERLEY: I have no doubt the noble Lord is entirely satisfied with the Report he has read, but I should infer from that satisfaction that he has probably not had much practical experience upon this subject. I am perfectly aware that excellent orders are issued in Ireland by the Privy Council, and I have no doubt that they are under the impression there that the diminution in the number of cases is entirely caused by the excellent way in which the law has been carried into effect. But I am rather disposed to draw exactly the opposite conclusion from that diminution of cases, because the impression it makes upon my mind is that there has been a want of vigilance in this matter. I doubt exceedingly that there has been a diminution of pleuro-pneumonia in Ireland. It is almost impossible to conceive that it can be so, when we know that animals which have been found to be affected with pleuro-pneumonia in England have been traced to Ireland; and so much has this been felt to be the case, that I know a great many people who do not think it prudent now to purchase Irish cattle, and as those cattle are exceedingly valuable to farmers, they would not decline to purchase them if they were not obliged to do so. Therefore, I think the noble Lord will see that that belief cannot be so easily disposed of. Ireland is a country of very small agricultural proprietors, and there are a great number of them; and those who are acquainted with the class of men who constitute a very large proportion of those proprietors must know that it follows there is much more difficulty in getting information from them than in a country like this, where there are mostly large farmers. I am very glad the noble Lord has read the Report. It shows certainly that there has been no lack of Orders issued, and all I can say is that I sincerely trust those Orders will be vigorously and continuously carried into effect. I hope the Irish Government, occupied as it is with many other matters, may in this so conduct their affairs that they will meet with the approval of everyone, and that they will succeed in removing from Ireland this disease, which affects animals sent to England. I am sorry my noble Friend, after consultation with the President of the Board of Agriculture, has not been able to accept the Amendments which have been suggested. I rather gather from what he has said that the difficulty is not the intrinsic character of those

Amendments, but the fear that if the Bill goes down to the other House there may be difficulty in passing the measure through. I can appreciate the difficulty, and I do not wish to undervalue it. I regret that the last of the Amendments has not been adopted, which would have enabled the Government to deprive those owners who had neglected to give notice of the existence of disease on their farms of the compensation which they would otherwise have been entitled to. I think that would have given a very valuable power to the President of the Board of Agriculture. I am by no means persuaded that the powers they possess will be found adequate for the purposes required. I think the experience of the Local Authorities, which is very considerable in these matters, is at present much more weighty than that of the Board of Agriculture. All I can say is that I am very sorry the Amendments cannot be introduced into the Bill, and that I hope at some future time, if there is any amending Bill brought in, it may be found possible to include them.

Bill read 3ª (according to order), and passed.

ELECTRIC LIGHTING ACTS AMENDMENT (SCOTLAND) BILL.—(No. 122.)

Bill read 3ª (according to order), with the Amendment, and passed, and returned to the Commons.

LOCAL GOVERNMENT ACTS OF ENGLAND AND SCOTLAND REPEAL BILL.

A Bill for the repeal of the Local Government Acts for England and Scotland—Was presented by Lord Denman; read 1ª; to be printed; and to be read 2ª on Tuesday next. —(No. 156.)

ADMIRAL COLOMB'S FLASHING SIGNALS.

VISCOUNT OXENBRIDGE: In the absence of my noble Friend Lord Sudeley I have to move for correspondence between Flag Officers (including Rear-Admiral Colomb) and the Admiralty relating to flashing signals between 1st January, 1887, and the present date.

*LORD ELPHINSTONE: I am sorry to have to state that I am not prepared to accede to the Motion as it stands on the Paper. It asks for certain correspondence between Naval Officers and the Admiralty from the 1st January, 1887, down to the present time. As that is obviously but a small portion of the correspondence it would, being incomplete, give an erroneous idea of what the effect of the correspondence was. If my Friend is prepared to move for the whole correspondence from 1867 there would be no objection to give that Return.

VISCOUNT OXENBRIDGE: As my noble Friend is prepared to do that, I propose to amend the notice in that way.

NAVY (FLASHING SIGNALS).

The whole official correspondence relating to Rear-Admiral Colomb, from 1867 to the present date: Ordered to be laid before the House.—(*The Lord Sudeley.*)

EDUCATION CODE (1890) BILL.
(No. 157.)

ELECTIONS (SCOTLAND) CORRUPT AND ILLEGAL PRACTICES BILL.
(No. 158.)

Read 1ª, and to be printed.

House adjourned at a quarter past Seven o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 1st July, 1890.

POSTMEN'S PAY AND ALLOWANCES.

Address for—

"Return showing for London, Liverpool, Manchester, Edinburgh, and Glasgow, the terms on which the Postmen are employed as to pay and allowance during sickness, after various terms of service; as to allowances of clothing, holidays, medical attendance, in other ways; as to hours of work and the ages at which the men join; as to pensions and terms of service entitling men to the same; as to any other emoluments and conditions of employment."—(*Mr. Provand.*)

QUESTIONS.

IRELAND—POLICE SHADOWING.

MR. ROCHE (Galway, E.): I beg to ask the Chief Secretary to the Lord

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Lieutenant of Ireland whether he is aware that the Rev. W. H. O'Kelly, a parish priest of New York City, and Mr. Patrick B. Egan, merchant in the same city, and native of Woodford, County Galway, were shadowed by police through Cork on the 10th instant, and that one of the constables, who gave his name as Murphy, followed Mr. Egan from Cork to his house in Woodford; and whether he will give instructions to the police not to subject visitors to Ireland to such treatment in future?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Constabulary Authorities report that it is the case that the movements of P. B. Egan are watched in consequence of information in the possession of the police; but that it is not the case that those of the rev. gentleman named have been. The police have been acting in the proper discharge of their duty.

MR. FLYNN (Cork, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can state what number of persons are now being shadowed by policemen in the County of Cork, or if he can give the number so shadowed for the first fortnight of this month?

MR. A. J. BALFOUR: The question was answered yesterday by my right hon. Friend the Attorney General for Ireland. I have nothing to add to his reply.

MR. FLYNN: Is there any distinction drawn between persons "shadowed" and persons "temporarily observed" by the police; or is it only a difference of degree?

MR. A. J. BALFOUR: There is undoubtedly a difference between shadowing and a general observation.

MR. CONYBEARE (Cornwall, Camborne): Does it depend upon the distance at which the constable watches the person observed?

MR. A. J. BALFOUR: No, Sir.

MR. FLYNN: Is temporary shadowing carried on only for a day, or a portion of a day?

MR. A. J. BALFOUR: No, Sir; shadowing is an operation which may be carried on permanently or temporarily.

Mr. Roche

THE CAVAN UNION.

MR. KNOX (Cavan, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, when Patrick M'Cartland, of Belturbet, a widower with six children, all under nine years of age, dependent upon him, was sentenced to three months' imprisonment, leaving his family for the time without support, the Board of Guardians of the Cavan Union resolved, on the 6th August, 1889, that the best course would be to place the children in the charge of their nearest relative, their grandmother, and to allow her 1s. per week per child for their support during the term of their father's imprisonment, which is about half what it would have cost to support the children in the workhouse; whether the Auditor of the Local Government Board surcharged the sum so paid in out-door relief to the Chairman; and whether the Auditor acted with the sanction of the Local Government Board in the matter; and, if so, whether he will consider the expediency of giving the Guardians a wider discretion in such special cases?

MR. A. J. BALFOUR: The facts appear to be substantially as stated in the question. The Guardians could not, in the circumstances, legally grant out-door relief to the man's family. The Auditor, therefore, was obliged to surcharge the Vice-Chairman, and the Local Government Board have no statutable power to give the Guardians a wider discretion of the nature indicated.

BAIL PRISONERS.

MR. DILLON (Mayo, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if it is the fact that to-day the Chief Magistrate of Waterford attended at the gaol of that city, but that the Governor refused to take the recognisances which were tendered on behalf of Mr. Redmond and Mr. Fisher, two bail prisoners, unless a Resident Magistrate were present; and, if so, whether he will telegraph at once to have these gentlemen released on bail?

MR. A. J. BALFOUR: I know nothing about the circumstances of the case, but I will make inquiries

MR. DILLON: Will the right hon. Gentleman undertake, if the facts are as I have stated, to have these men let out to-night? It is a most unpleasant thing to be detained in gaol in defiance of the law.

MR. A. J. BALFOUR: I will take care, if anything illegal has been done, to have it remedied as soon as possible. I am not aware at present that anything illegal has been done.

MR. FLYNN: Is the right hon. Gentleman aware that there is no necessity for the presence of a Magistrate at all?

MR. A. J. BALFOUR: I am not familiar with the law.

MR. CONYBEARE: When I was in Derry Gaol the presence of a Resident Magistrate when recognisances were entered into was not required.

MR. A. J. BALFOUR: I have already given the only answer to the question I am able to give.

MR. TATE'S PICTURES.

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask the Chancellor of the Exchequer whether the Trustees of the National Gallery accepted Mr. Tate's generous offer subject to the condition that the Government should provide sufficient space to accommodate the pictures; whether the Collection consists entirely, or almost entirely, of works of the modern British School, and whether, under these circumstances, they must have been of necessity kept together, and whether there are already several precedents in the National Gallery, such as the Reel and Turner Collections, for groups of pictures to be hung by themselves in separate rooms; whether, even if Mr. Tate had handed over his pictures to the nation quite unconditionally, and allowed them to be dispersed in different rooms, space could have been found to hang more than half a-dozen of them; whether the Trustees have repeatedly pressed on the Government the desirability of enlarging the existing building; and whether he will lay the correspondence regarding Mr. Tate's offer upon the Table of the House?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I will answer the first part of the question by replying to the last part. Correspondence will be laid on the Table of the House which will show in detail all that has been done in the matter. It is true that the Trustees of the National Gallery have repeatedly urged on the Government the desirability of enlarging the existing building, and arrangements have been made for providing additional accommodation with a view to a permanent Gallery for British Art.

LOCAL TAXATION.

MR. SEXTON (Belfast, W.): I beg to ask the Chancellor of the Exchequer, with reference to the declaration of the Chief Secretary to the Lord Lieutenant, of Ireland, on the 24th of March last, that Ireland is entitled to

> "A contribution of £40,000 a year, which Ireland has never yet got, but which she has a right to get, as a set-off against the advantage which England and Scotland have recently derived from the Licence Duties handed over to those countries,"

and Section 7 of the Land Purchase Bill, which proposes a yearly charge on the Consolidated Fund of £40,000 in order

> "That the like benefits may be given to Ireland as were given to England and Scotland when the duties on local taxation licences were transferred to Local Authorities,"

what means he will adopt to provide that the arrears of this contribution, and the amount payable for 1890-91, shall be made available for the benefit of Ireland in the current financial year?

*MR. GOSCHEN: The hon. Member's assumption that the Land Purchase Bill will not pass into law by March 31, 1891, is one with which I cannot agree. Accordingly, I think that the time for discussing the point of what should be done with the £40,000 if the Bill does not pass by that date had better stand over until it is seen more clearly how that may be. I can, however, assure the hon. Member that one way or another that sum of £40,000 shall not be lost to Ireland—that is to say, it shall not be retained in the Exchequer. As to the question of arrears, I would point out that this is the first year in which Scotland gets the difference between the grant and the licence, and the first year, too, in which Ireland will get the £40,000, so that Ireland and Scotland will stand on the same footing.

MR. SEXTON: I am much obliged for the general assurance which the right hon. Gentleman has given. Does

the right hon. Gentleman expect us to take it from him that the Land Purchase Bill will pass through this House and through the House of Lords, and receive the Royal Assent, before the 31st of March next year?

THE LOCAL TAXATION (CUSTOMS AND EXCISE) DUTIES BILL.

MR. SEXTON: I beg to ask the Chancellor of the Exchequer whether the further inquiry into the incidence of the Beer and Spirit Duties comprised in the Local Budget, which he undertook to make with a view to a Supplemental Estimate, has yet been concluded?

MR. GOSCHEN: I have not received any information on the subject, but will communicate with the Department.

MR. LENG (Dundee): I beg to ask the First Lord of the Treasury whether the Government will consider the desirability of appropriating part of the money derived from the increased duty on spirits to provide for the free postage of newspapers to places beyond the cities and towns in which they are published, or as preliminary to that arrangement of reducing the postage on all newspapers weighing less than four ounces to one farthing each copy?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I hope the hon. Gentleman will not think I am treating him with discourtesy if I repeat the same answer I have already given to a question of the same character, that Her Majesty's Government are considering the question, but are not able yet to make any statement to the House.

MR. STUART RENDEL (Montgomeryshire): I beg to ask the First Lord of the Treasury whether he is aware of the unanimity of feeling existing in Wales in reference to the expenditure of the Welsh portion of the moneys to be placed at the disposal of the County Councils under the provisions of the Local Taxation Bill; and, whether, in compliance with that feeling, he is prepared to consider favourably the allocation of the whole or a portion of such moneys for the purpose of Intermediate Education in Wales and Monmouthshire, and in furtherance of the objects of the Welsh Intermediate Education Act of last Session?

*MR. W. H. SMITH: My answer is the same as that which I have given to the hon. Member for Dundee (Mr. Leng.)

SATURDAY SITTINGS.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the First Lord of the Treasury if there are to be any Saturday Sittings this Session?

*MR. W. H. SMITH: I am sure the hon. Member will see that I have not the power of forecasting future events.

HELIGOLAND.

MR. CHANNING (Northampton, E.): I beg to ask the First Lord of the Treasury whether, before agreeing to the cession of Heligoland, Her Majesty's Government had any resolution from the Executive Council of Heligoland, assenting to the cession on behalf of the inhabitants, laid before them; what steps have been taken to ascertain the wishes of the inhabitants as to the transfer of the island to Germany; whether Her Majesty's Government have considered the very full evidence obtained by the correspondent of the *Pall Mall Gazette*, and the statements in the Press of Mr. W. G. Black, Mr. Fraser Rae, and other gentlemen who have special means of knowing the sentiments of the inhabitants, to the effect that the transfer is viewed with the strongest aversion; whether any evidence has been produced to a contrary effect; and, if so, what evidence; and whether, having regard to these facts, Her Majesty's Government will re-consider their decision, and consent to send a Commissioner to ascertain the wishes of the inhabitants?

*MR. W. H. SMITH: It has already been stated that no reference was made to the inhabitants of Heligoland on the question of the cession of the island. As I have said before, it would not be a matter for surprise that there should be regret at parting with a sovereignty under which the people have so long lived. While the utmost care has been taken in the agreement with Germany to secure for the inhabitants the continuance of the privileges they have hitherto enjoyed, it cannot, I think, be regarded as a hard thing to hand over the inhabitants of the island to a nation to which they are allied, both by blood and language. I believe there is an

Executive Council in the island, but no Resolution of the kind referred to has been adopted.

*MR. CHANNING: Was any Despatch received by Her Majesty's Government from the Governor of the Island before the cession was agreed to, stating the grounds upon which he based his belief that the inhabitants would favour the transfer; and, if so, will Her Majesty's Government lay such Despatch on the Table of the House?

*MR. W. H. SMITH: No such Despatch exists. The Governor of Heligoland was in this country at the time the negotiations were in progress, and personal communications proceeded with him on the subject.

MR. F. S. STEVENSON (Suffolk, Eye): Is it the fact that the Agreement for the cession was signed in Berlin to-day; and, if so, will it be laid on the Table?

*MR. W. H. SMITH: I am not aware.

MR. CONYBEARE: May I ask whether the conditions of the cession will apply to all persons on the Island or to adults only, and whether the children as they grow up will be subject to conscription under Germany?

*MR. W. H. SMITH: Full details of the negotiations will be communicated to the House.

*MR. CHANNING: Are we to understand the right hon. Gentleman to say that the Government have information in their possession to the effect that the inhabitants are likely to approve of this transfer, and that the decision of Her Majesty's Government is to refuse to lay such information in any form before the House?

*MR. W. H. SMITH: I have repeatedly stated that Her Majesty's Government are satisfied with the conditions under which the cession has been made, and that they have been made under circumstances which will secure to the inhabitants a continuance of the privileges they have hitherto enjoyed.

TITHE RENT-CHARGE IN WALES.

MR. STANLEY LEIGHTON (Shropshire, Oswestry): I have a question on the Paper of my intention to ask the First Lord of the Treasury whether he is aware that violent resistance to the payment of tithe rent-charge has been renewed in Wales; that at Llannefydd, in the Vale of Clwyd, Mr. Stevens and a distraining party were unable to proceed with the recovery of tithe rent-charge by the ordinary means provided by the law owing to the disturbance of rioters; that stones were thrown, and one of the emergency men injured; whether he is also aware that there are at present arrears of tithe rent-charge in Wales amounting to thousands of pounds; that grave breaches of the peace are anticipated during the winter should remedial legislation be any longer denied; and whether, in the interests of law, order, and justice, he will recommend the House to proceed with the Tithe Rent-Charge Recovery Bill in the present Session? At the request of my right hon. Friend I beg to postpone the question until Thursday.

MARINE INSURANCE.

DR. CAMERON (Glasgow, College): I beg to ask the Lord Advocate if his attention has been called to a letter purporting to be signed by Messrs. J. and P. Hutchinson, shipping agents in Glasgow, and published in the *Shipping Gazette* of the 23rd June, in which the writers, replying to a demand for explanations from the Committee of Lloyd's regarding certain marine policies of insurance, make the following admissions:—

"We had issued a policy of insurance purporting to bear the signatures of certain Lloyd's underwriters, while, as a matter of fact, we had no mandate or authority to adhibit their names, and the policy which we issued did not even represent any actual contract made by them, the premiums being different to that at which the risk had been accepted";

and whether he will inquire into the genuineness of the letter, and if it be genuine if he will instruct the Procurator Fiscal, in the public interest, to investigate the *primâ facie* case of forgery and fraud which the alleged admission establishes?

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): The matter which forms the subject of this question was fully investigated some time ago, but no such case was disclosed as to justify criminal proceedings.

THE ROYAL NAVY—TRAINING SHIPS.

MR. GOURLEY (Sunderland): I beg to ask the First Lord of the Admiralty if he is aware that Commander Field is

engaged in delivering lectures at some of our seaports regarding the pay and prospects of seamen in the Royal Navy for the purpose of obtaining an additional number of boys, and whether this is with the consent of the Admiralty; will he be good enough to state how the 4,514 lads specified in the Navy Estimates of last year are distributed, that is, how many are on board training brigs and how many otherwise afloat; how many of the 1,730 additional boys voted this year have been obtained; and whether any system is to be adopted whereby lads other than those trained on board the *Britannia* may compete for commissions?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): Of the 4,514 boys specified in the Navy Estimates of last year, 1,892 are in the training ships and 96 in the brigs, the remainder being distributed in various capacities over the Fleet. The number of boys to be entered this year in excess of the numbers last year is 1,290. Of these, 727 have been entered since April 1, 1890. A few boys are already entered direct as midshipmen or cadets from the *Worcester* and *Conway* training ships.

NAVAL MANŒUVRES.

MR. GOURLEY: I beg to ask the First Lord of the Admiralty whether it is intended during the autumn to mobilise the Channel and Reserve Squadrons, on a similar or larger scale than last year, for the Naval Manœuvres; if so, whether, with the large addition of ocean cruisers, it is intended to extend the scope of the experimental operations to the protection of the leading food and cotton ocean routes between the United Kingdom, America, India, and Australia, notifying to owners and commanders of British ships that they will be expected to avoid (if possible) capture by experimental cruisers, in place of instructing the officers of Her Majesty's ships nominally to capture merchantmen under conditions totally opposed to what must exist in actual war?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): Speaking generally, my answer to the first question is in the affirmative, and to the second in the negative.

MR. GOURLEY: Perhaps the noble Lord will state how many squadrons are to be mobilised.

LORD G. HAMILTON: There will be two fleets—one against the other. I believe the mobilisation will be of such a nature as to be efficient; but the question is of a character that I cannot answer.

FLASHING SIGNALS.

MR. BALLANTINE (Coventry): I beg to ask the Secretary to the Treasury whether the Treasury has decided upon offering Admiral Colomb £2,000 as an adequate settlement of his claims in respect of his invention of flashing signals; and, if so, when this offer will be officially communicated to Admiral Colomb?

*MR. WINTERBOTHAM (Gloucester, Cirencester): Has the noble Lord seen a statement of claim, laid before the Admiralty in July, 1859, in which Major General Charles Babbage states that his father was the inventor of flashing signals, and published full particulars in the *Times*, and exhibited the apparatus in work years before the patent of Admiral Colomb?

LORD G. HAMILTON: The Government have decided to offer Admiral Colomb a further grant of £2,000 for his services in connection with the introduction into the Navy of the system of flashing signals, and this offer will be at once officially communicated to Admiral Colomb. The claims not only of the late Major General Charles Babbage, but also of another gentleman, to be considered the originator of the system of flashing signals have been brought to my notice. The question they raise is one rather for a Court of Law than a Public Department to decide. I cannot undertake to express an opinion upon the claims in question. Admiral Colomb's claim to have adapted flashing signals to Naval uses is not, I believe, disputed.

*MR. WINTERBOTHAM: The noble Lord refers to "a further sum of £2,000." What is the amount Admiral Colomb has already received?

LORD G. HAMILTON: £1,000.

THE NORTH STAFFORDSHIRE REGIMENT.

SIR JOHN SWINBURNE (Staffordshire, Lichfield): I beg to ask the Secretary of State for the Home Department

whether his attention has been called to the case of Richard Hinde, who was recently fined 40s. and costs, or in default seven days' hard labour, at Lichfield Petty Sessions, for being absent through inadvertence from the annual training of the 3rd Battalion North Staffordshire Regiment on 29th April; and whether he will take into his consideration the desirability of remitting a portion of the sentence?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The Justices inform me that the prisoner's defence was that he did not know to which regiment he belonged, the 3rd or the 4th Battalion; but inasmuch as he had served for several years in the Army, and had trained last year with the 3rd Battalion, the Justices deemed his excuse insufficient, and imposed the minimum penalty of 40s. In default of payment the prisoner was committed for the minimum term of seven days' imprisonment, which sentence expires to-day. It does not seem to me to be a case calling for any interference on my part.

"MITCHELL *V.* REGINA."

MR. CUNINGHAME GRAHAM: I beg to ask the Secretary of State for War if he has received repeated applications from the Suppliant in "Mitchell *v.* Regina," for payment of the small sum due under allowance regulations for having performed the duty of Paymaster at Manchester in 1885-6, when he was also commanding Royal Engineers, and Officer commanding the troops; and whether it is true that his application has been refused; and, if so, can he explain the reason for this refusal?

*THE FINANCIAL SECRETARY FOR WAR (Mr. BRODRICK, Surrey, Guildford): Colonel Mitchell was not entitled to the allowance he claimed, and he has been repeatedly so informed.

MR. CUNINGHAME GRAHAM: I beg to ask the Secretary of State for the Home Department if he will lay upon the Table of the House a Copy of the Petition of Right, presented by the Suppliant in "Mitchell *v.* Regina" in 1888?

MR. MATTHEWS: It is not usual to lay such documents upon the Table of the House, and as the case arising upon the Petition has been decided by the legal tribunals of the country, I do not see that any public advantage would be gained by such a course. I shall be glad to show the Petition to the hon. Member if he wishes it.

INQUEST AT BLACKPOOL.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the circumstances attending an inquest held in Blackpool, on Monday, on the body of a woman found dead in a house in that town, in which no evidence, medical or other, as to the cause of death was submitted to the jury; and that the jury insisted, in spite of the strenuous opposition of the Coroner, upon a *post mortem* examination of the body being made; whether application has been made to him for authority to exhume the body for this purpose; and what he proposes to do in the matter?

MR. MATTHEWS: Yes, Sir; my attention has been called to this matter, and I am informed by the Coroner that the deceased was found dead in her own house on the 21st June. The police having no suspicions of foul play, and the body being greatly decomposed, the Coroner did not think a *post mortem* necessary, and for sanitary reasons ordered the burial of the body, which had been duly viewed by the Jury, at the earliest possible period. The Jurors at the inquest, which was held in the afternoon of 23rd June, the body having been buried in the morning of that day, declared their inability to find a verdict in the absence of medical evidence. The Coroner accordingly issued his precept for the exhumation of the body, and an inquest was held and medical evidence given, with the result that the verdict was death from natural causes. I do not propose to take any action, as I do not gather from the facts before me that the Coroner has failed in his duty.

PROCESSIONS TO HYDE PARK.

MR. CAVENDISH BENTINCK (Whitehaven): I wish to put a question to my right hon. Friend the Home Secretary, of which I have given him private notice, and if he cannot answer it now, I will repeat the question on Thursday. I wish to ask him whether he has seen a paragraph in the *Times* to-day, in

which it is stated that certain persons, calling themselves "the Open-air Meetings Committee" have

"Unanimously decided to meet on Clerkenwell Green next Saturday, march in procession to Hyde Park, and there hold a public meeting with a view to the assertion of the right of public procession and public meeting in London"

in the interests of the public. Will the right hon. Gentleman take steps to prevent wanton and unnecessary proceedings and obstruction in the public thoroughfares which are absolutely contrary to the wishes of the inhabitants of the Metropolis, and which materially interfere with their ordinary occupations and business?

MR. MATTHEWS: I have not seen the paragraph in question, but I will make inquiry and see what steps ought to be taken.

DEATH FROM STARVATION.

MR. CUNINGHAME GRAHAM: I beg to ask the President of the Local Government Board if his attention has been directed to the verdict of the Coroner's Jury at the Vestry Hall, E., on Thursday last, on the death of Elizabeth Bryant, which was "that the deceased died of starvation;" whether he is aware that the Parish Authorities, as reported, refused deceased outdoor relief, and that in consequence, rather than go into the workhouse, deceased died; and if, in face of the apparent dislike (even to preferring death by starvation) of the poor of the East End to the indoor system, he will advise that the system shall be relaxed?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I have no information upon the matter referred to; but if the hon. Member will give me particulars as to the name of the Coroner who held the inquest, or the place at which it was held, I shall be happy to make inquiry.

OUTRAGES IN ARMENIA.

MR. F. S. STEVENSON: I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been called to the statement in the *Daily News* of Monday, to the effect that Halil Pacha, Governor of Van, is constantly supplying Martini-Henry rifles to the Kurdish chiefs of the district; that the Kurds, emboldened by the encouragement they meet with in high places, are committing every kind of outrage and atrocity on the Armenian people; that on the 23rd of May the Kurds outraged an Armenian woman of Kavash, and cut off her breasts with their swords, death following shortly after the deed; that murders have been committed by Turkish soldiers in the town of Van itself; that towards the middle of April more than 15 villages lying to the south of Van were raided by the Kurdish brigand cheif Shakir; and that the Governor, Halil Pacha, has effected no arrests; whether the Government have any information relating to these matters; and whether they will cause inquiry to be made?

*MR. SCHWANN (Manchester, N.): I wish to put this further question to the right hon. Gentleman—whether he has seen the following statement in the *Daily News* of this morning:—

"Most of the principal outlaws and bad characters who were arrested last year and cast into prison, in consequence of the Armenian agitation in Europe, have been let loose, and are now overrunning the country. The miscreants have, it is reported, purchased their release through the Turkish Governors on payment of substantial sums. The notorious Hussein Bey, of Hosh, in the Kharpout district, whose name is dreaded throughout the country, and whose misdeeds are almost unsurpassed in the criminal annals of Turkey, having slaughtered more than 15 Armenians during his lifetime, has been released from the Erzeroum Gaol, and appointed to a high public office at Kharpout. The inhabitants of the district are almost panic stricken in consequence. The policy of exterminating the Armenian element is being pursued with unabated vigour. While a great number of Armenians emigrate to distant climes through want of security and protection to life and property, those who venture to return to their country are killed on their way by Kurdish brigands at the instigation of the local officials."

I wish also to ask whether there are still a number of Christians imprisoned at Erzeroum and at Erzingan, where they have been lying for two years and a half; and whether the Under Secretary will inquire into the truth of these allegations, and use his influence to prevent further misdoings?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): In answer to the question on the Paper I have to say that we have received no such

information, but there is no doubt that the Kurds are armed. Nor have we received any information of the shocking occurrence stated by a newspaper correspondent to have occurred at Kavash. On April 19 the Vice Consul at Van reported that a company of 16 mounted Kurds made a descent into the Havatzor Valley, 10 miles from Van, for the purpose of levying blackmail. On May 19 the Consul at Erzeroum reported that the Vali was making "honest and strenuous efforts" to have these Kurds arrested; and I observe to-day a telegram that one of the leaders has been arrested. With regard to the last question, I have no doubt that these matters will be reported on in due course; but the hon. Gentleman will observe that in the newspaper from which he takes these statements they are professedly not from its own correspondent, but either from "An Armenian correspondent," or were rumours. In regard to the question of the hon. Member for Manchester (Mr. Schwann), I may say that I only received it just before I came to the House, and I have not had an opportunity of making inquiries. It is a question which I could not undertake to answer off-hand.

*MR. SCHWANN: Will the right hon. Gentleman make inquiries?

*SIR J. FERGUSSON: I will make inquiries at the Foreign Office. I cannot carry all the Records of the Office in my head. I shall be happy to give him an answer if he will put the question on the Paper.

MR. A. O'CONNOR (Donegal, E.): Have the Government received information of any representation having been made by the Russian Consul, and will the right hon. Gentleman consider the advisability of a joint representation being made to the Porte?

*SIR J. FERGUSSON: I can answer that question now, and also the question of the hon. Member for Eye (Mr. F. Stevenson) upon the same subject. [To ask the Under Secretary of State for Foreign Affairs whether it is true that the Russian Consul at Erzeroum has addressed remonstrances to the Turkish Authorities on the subject of the outrages which have been committed against the Armenian population; and whether the British Consul has been, or will be, instructed to address similar remonstrances?] We have asked our Consul at Erzeroum, in conjunction with the Russian and French Consuls, to make a joint representation as to the measures thought to be necessary. The recommendations have been brought to the notice of the Grand Vizier at Constantinople by Her Majesty's Chargé d'Affaires, and certain orders have been given in accordance with those representations.

MR. F. S. STEVENSON: Will the Government instruct Mr. Clifford Lloyd to convey information as soon as possible to the Government with regard to the matters referred to in his question?

*SIR J. FERGUSSON: I can assure the hon. Gentleman that it is totally unnecessary to convey such special directions. Mr. C. Lloyd has interested himself greatly in these things. [*Cries of* "Oh!" from the IRISH MEMBERS.] I do not know on what grounds hon. Gentlemen should doubt the truth of that statement. Mr. Clifford Lloyd has constantly interested himself greatly in these matters. I have explained to the House over and over again that newspaper correspondents have only to telegraph a rumour; whereas Her Majesty's Representative has to ascertain its correctness before making a Report.

THE ANGLO-GERMAN AGREEMENT.

MR. BUCHANAN (Edinburgh, W.): I beg to ask the Under Secretary of State for Foreign Affairs what is the object of the negotiations with Germany as regards Walfisch Bay; whether the Government will undertake not to make any cession of territory at Walfisch Bay without the consent of the Cape Colony; and whether the negotiations with regard to Walfisch Bay form part of the negotiations for the general Anglo-German Agreement?

*SIR J. FERGUSSON: The object of the negotiations is the delimitation of the southern boundary of Walfisch Bay. There is no question of cession of territory. The matter will be dealt with by the Agreement.

MR. BUCHANAN: Has the Cape Colony been consulted?

*SIR J. FERGUSSON: I am not prepared to answer that question.

BARRACKS AT COLCHESTER.

MR. ROUND (Essex, N.E., Harwich): I beg to ask the Secretary of State for War whether he proposes to erect permanent infantry barracks at Colchester in place of the wooden huts now in use and which were built for temporary occupation by the German Legion at the time of the Crimean War?

MR. BRODRICK: If any of the huts are found unfit for occupation they will be replaced by others built of permanent materials.

HOLIDAY FOR POSTMEN.

COLONEL EYRE (Lincolnshire, Gainsborough): I beg to ask the Postmaster General whether the postmen throughout the United Kingdom are to have a general holiday on the 2nd of July; and whether postmen availing themselves of this holiday will have to pay substitutes for doing their work?

THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): The intention is that, if possible, all officers who can be spared shall have a holiday on July 2, and those who cannot be spared shall have a holiday on some other day during the year. All substitutes will be paid by the Department.

HOUSE OF COMMONS ENVELOPES.

MR. DONALD CRAWFORD (Lanark, N.E.): I beg to ask the Postmaster General whether he will give instructions for Members being supplied, at the rate of a penny, with envelopes having a penny stamp embossed on House of Commons paper; and, if so, how soon they will be obtainable?

*MR. RAIKES: I have already suggested to the authorities of the House an arrangement under which House of Commons envelopes with embossed stamps could be supplied to Members at the Post Office in the House. The part of the Post Office in the matter will be simply to keep them on sale, and this part it will be prepared to carry out as soon as the envelopes are ready.

POST OFFICE TELEGRAPHISTS.

MR. LAFONE (Southwark, Bermondsey): May I ask the Postmaster General if there is any truth in the statement which appears in this morning papers, that the telegraphists employed by the Post Office refuse to work overtime?

*MR. RAIKES: At the Central Telegraph Office, where the business is liable to sudden increase from unforeseen causes, it is impossible to carry on the work without overtime. Every effort is made, however, to restrict the overtime, and additions are made to the staff from time to time as the number of messages increases or additional wires are brought into operation. Less than a year ago authority was given to increase the number of telegraphists by 100, and no time was lost in training the new hands. The question of a further increase of the force is now under examination, The necessity for overtime is, I am sure, appreciated by the general body of the telegraphists, and I do not entertain any apprehension that these officers have it in contemplation to refuse to perform duties which are required in the interests of the public. They are well aware that one of the difficulties which the Department has to contend with in this matter arises out of its desire to allow those officers who are not juniors to take their holidays in the summer season of the year, and they are also aware that if overtime were entirely abolished there would be a grievance on the part of a large proportion of the staff by whom the payment for the overtime is welcomed as an additional source of income.

ALLOTMENTS AT TIDDINGTON.

SIR WALTER FOSTER (Derby, Ilkeston): I beg to ask the hon. Member for Penrith (Mr. J. W. Lowther) whether he is aware that, under a bequest of a Mrs. Ann Jenkinson, a sum of money was left, the interest of which was to be applied to the reduction of the rents of allotments held by poor men residing at Tiddington, near Alveston, Warwickshire; whether it is true that the Trustees of this Charity have rented from one of their number (the Vicar) nine acres of glebe land at a rental of £3 10s. per acre, and have sub-let the same to labourers in allotments at £3 per acre, while the adjacent portion of the glebe land has been let to a farmer at 25s. per acre, and the rent for allotments in neighbouring parishes is 30s. to 35s. per acre; and whether the Charity Commissioners will take steps to ensure the operation of the

benevolent intentions of the testatrix for the benefit of the allotment holders of Tiddington?

MR. J. W. LOWTHER (Cumberland, Penrith): The facts set out in the question are not absolutely accurate, but are substantially correct. The Vicar, on May 19, suggested that the tenancy of the Trustees should be determined, and on June 5 the Commissioners informed the Trustees that this course was desirable.

SIR WALTER FOSTER: The hon. Gentleman has not answered the last paragraph of the question.

MR. J. W. LOWTHER: It seems to me that it is a matter for the Trustees themselves to carry out. Of course, the Commissioners will do everything in their power to assist the Trustees in carrying out the scheme.

BRITISH GUIANA.

MR. CONYBEARE: I beg to ask the Under Secretary of State for the Colonies whether the Government has yet received any Report respecting the charges of misconduct against the Chief Justice and other Judges of British Guiana preferred by the late Mr. de Souza, or has made the inquiries promised in reply to questions put to him on or about the 17th November, 1888; whether two editors of newspapers in British Guiana were committed to prison for commenting on the de Souza case, after all proceedings connected therewith were terminated; whether they were fined, and to what amount, before they could obtain their release; and whether, having regard to the decision of the Privy Council in the de Souza case, he will consider the propriety of remitting such fines?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): In November, 1888, it was stated, in answer to questions in this House, that Mr. de Souza had notified his intention to prefer charges of misconduct against the Judges of British Guiana, and that on the receipt of such charges, if they were not accompanied by a full Report, Her Majesty's Government would call for such further Report as might be necessary. Mr. de Souza did not prefer any charges, and there was, therefore, no occasion for Her Majesty's Government to call for a further Report. Mr. de Souza obtained permission to appeal to Her Majesty in Council against the sentence imposed upon him for contempt of Court by the Supreme Court of British Guiana, but he died before the appeal could be prosecuted. In November, 1888, two editors of newspapers in British Guiana were sentenced to pay fines of £50 and £20, and in default of payment to be imprisoned until the fines were paid, for contempt of Court in publishing articles containing scandalous and libellous statements tending to obstruct and prejudice the administration of justice. The articles related to the de Souza case, and were published after the proceedings in that case had terminated. One of the editors paid the fine without going to prison, and the other after being in prison for one day. The only decision of the Privy Council in the de Souza case was that Mr. de Souza should have special leave to appeal against the orders of the Colonial Court. Her Majesty's Government do not propose to direct the re-payment of the fines.

MR. CONYBEARE: Do I understand from the answer of the right hon. Gentleman that Mr. de Souza died before the appeal could be prosecuted?

BARON H. DE WORMS: Yes, Sir; that is so.

DORMANT FUNDS IN CHANCERY.

MR. STANLEY LEIGHTON: I had intended to ask the Attorney General if, in reference to the dormant funds in Chancery, he will consider whether the publication of the lists may not be made more useful to the public by giving the names of the estates and "matters" which are the subject of the suits in addition to the titles of the suits; and whether the office still retains its objections to publishing the amounts of money to the credit of each suit? but I beg to postpone the question until Thursday.

MESSAGE FROM THE LORDS.

That they have agreed to, Electric Lighting Acts Amendment (Scotland) Bill, with an Amendment.

That they have passed a Bill, intituled "An Act to facilitate the Appointment of new Trustees of Land held in trust for religious or educational purposes, and

to make provision for vesting the Land in the Trustees for the time being." [Trustees Appointment Bill [Lords.]

SELECT COMMITTEE ON KITCHEN AND REFRESHMENT ROOMS.

Ordered, That Mr. John O'Connor be added to the Select Committee on Kitchen and Refreshment Rooms.—(*Mr. Richard Power.*)

INLAND REVENUE REGULATION BILL.—(No. 255.)

Bill, as amended, considered; read the third time, and passed.

BARRACKS BILL.—(No. 234.)

Bill read the third time, and passed.

ORDERS OF THE DAY.

WESTERN AUSTRALIA CONSTITUTION (RE-COMMITTED) BILL.—(No. 256.)

COMMITTEE.

Bill again considered in Committee.

(In the Committee.)

Clauses 4, 5, 6, 7, and 8 agreed to.

*(4.15.) MR. RATHBONE (Carnarvonshire, Arfon): I beg to move the addition of the following clause:—

"Any Act of the Legislature of Western Australia authorising the imposition of restrictions on the emigration of British subjects into Western Australia, other than persons who have been convicted of crime, shall be void."

I think we ought, in this House, to guard against any want of forethought upon the part of the colony in future. The object of the clause is to provide that in case the inhabitants of Western Australia desire hereafter to pass a law which would restrict the migration of British subjects to that colony it would be necessary, in the first instance, to obtain the consent of the British Parliament. The Imperial Government ought to act as trustees, not only of the 40,000 persons who now constitute the inhabitants of Western Australia, but of all British subjects who desire to colonise that region. It may be said that at present there is no danger of such an interdiction being proposed, because the Western Australians are anxious for immigration. But that is just the reason why we should embrace the opportunity of laying down a rule which would prevent the possibility in future of hurried and unwise legislation, and perhaps do that which it would be impossible to undo. A real danger exists, and I trust that that want of foresight which has hitherto characterised the regulation of our colonies will not be further extended. Anyone who watches the current of events in foreign countries will see that there is danger, and that a strong feeling is being expressed against the continuance of emigration to fields which have hitherto been open to the subjects of this country. We may learn a great deal from the action of the United States. The people there are the most advanced of all the democratic countries in the world, and have had a greater experience of democracy than any other, but anyone who has studied the course of politics there will see that there future difficulties and dangers threaten them in reference to emigration. What I ask now is that we should take precautions against hasty legislation in times of peculiar pressure in the future. Let me give an instance. The American people have found that one of the greatest dangers to democracy is an unwise and profuse expenditure in regard to local matters, the result of the past action on the part of more than one local legislature having been to reduce the localities to the verge of bankruptcy. The American people have, therefore, in nine of the principal States of the Union grafted upon their Constitution laws which prevent local expenditure or local taxation from exceeding a certain amount. In that way the hands of the Local Legislatures have been tied, so that it requires two or three years of successive action before an excessive expenditure can be incurred. That, I think, would be the effect of the proposal I now make. Hitherto, there has been no Federal Constitution in Australia, and, consequently, our legislation cannot take the exact form which it has taken in the American States; but the Imperial Government is responsible, not merely to the present inhabitants of Western Australia, but for all time. I am not afraid of the democracy acting in any ungenerous or narrow spirit if they have time to think, and can have the justice of the case placed before them by those whom they are willing to listen to.

But I cannot forget that a few years ago, after a period of lengthened distress in America, the working classes became irritated at the change in their condition, and took steps to prevent emigration. Similar reaction from overtrading may happen in Western Australia, and I am afraid that if it does the blame will be attached to the emigrants from England, Scotland, and Ireland, who go over there to compete with the colonists in their work, and that, under the pressure of temporary distress, the colony may be tempted to pass hasty and unwise laws against emigration from this country. And when once bad laws are imposed it is difficult to make a retreat. I, therefore, propose that no such legislation shall be permissible on the part of the inhabitants of Western Australia against their fellow-subjects in this country without an appeal to Parliament. The witnesses who were examined before the Committee which sat recently upon this subject expressed their willingness to accept a clause in the direction of my Amendment, and I think the House would display a gross want of forethought if they neglect the present opportunity of protecting those portions of Her Majesty's subjects who may hereafter desire to emigrate.

New Clause (Emigration of British subjects,) brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read the secoud time."

*(4.28.) MR. STANLEY LEIGHTON (Shropshire, Oswestry): The hon. Member has assigned various reasons in support of his proposal, and among them he has referred to the evidence before the Select Committee. But it so happens that not a single witness was in favour of this clause. One after another, including Sir William Robinson, the present Governor, and Sir Napier Broome, the late Governor, they all stated that there is no necessity for it, and the only evidence which in the slightest degree justifies what my hon. Friend has stated was that of Mr. Parker, one of the leading men in the colony. And all that Mr. Parker said was that the introduction of Chinese British subjects under Clause 8 might give rise to a considerable amount of agitation, and, therefore, he was in favour of inserting in the clause "not being Chinese;" and when the difficulty of the Imperial Authorities legislating against the Chinese was brought to his notice; he also thought that the whole clause should be abandoned. We know that the Australians will not allow Chinese to go into their territories. They would come in hundreds and thousands from Penang, from Singapore, and from Hong Kong if they were once allowed to enter. Surely it is better to allow these colonies to settle the question of emigration themselves instead of taking it into your own hands. The Amendment is perfectly unnecessary. For there, every law passed by any Australian Legislature may within two years be annulled by the Crown. The consequence is that if any Act is passed which may prevent British emigrants going to Australia, it may be annulled at any time within two years after its passage. There is also another reason why the clause is unnecessary. In the general form of instructions given to the Governors of colonies there is included a clause providing that they are to reserve for the consideration of the Crown any Act which is to the prejudice of any British subject, and under that clause every Act which has been passed against the immigration of British subjects, including Chinese, has been reserved for the consideration of the Crown. For these reasons I think it is quite unnecessary, and it would certainly be very objectionable to the Australian Colonies, that a clause of this sort should be inserted in this Bill.

(4.34.) MR. MUNRO FERGUSON (Leith, &c.): No one could have more sympathy than I have with the view of my hon. Friend (Mr. Rathbone) as to the desirability of providing such outlets as we can for our surplus population. I think, however, that the proposed Amendment would not attain the object my hon. Friend has in view, and the hon. Member who has just spoken has shown that the proposal is entirely unnecessary. The point which has been raised with regard to Chinese subjects of Great Britain is one of the utmost importance. We are asked to give Parliamentary sanction to the emigration of Chinese into Western Australia. I think it is most undesirable. It is undesirable that this

country should have so disagreeable a matter brought under its jurisdiction as that of having to decide whether or not the Chinese should be freely admitted into the British Empire. It has been found necessary in America to put restrictions upon the immigration of Chinese, and I think very rightly so. In Canada the same course has been adopted, and in that case it was also very desirable. In the present situation in Australia I do not think it would be for the welfare of the State that the Chinese should be allowed free entry. On the other hand, the value of Chinese support in our relations with the East is of an importance that cannot be denied, and I deprecate the attempt to introduce disturbing questions of this kind into the relative positions of the two countries.

*(5.36.) MR. RANKIN (Herefordshire, Leominster): I am ready to support the Amendment or some modification of it, and I think that the difficulty with regard to the Chinese, who are also British subjects, may be met by some slight alteration in the wording of the new clause proposed by the hon. Member for Carnarvonshire. We must remember that this country is making an enormous concession to the Western Australians, and I think it is only reasonable that we should insist upon the imposition of some conditions. The Western Australians are the English, Scotch, and Irish of a few years back, and will be the English, Scotch, and Irish of a few years to come; and it seems to me right that, when making such an enormous concession to these few persons, we should obtain conditions which will be for the benefit of our own nation for years to come. I fully endorse what has been said as to the likelihood of our requiring outlets for the people, and I would strongly press on the Government that they should adopt some clause of this sort. The Government themselves, by the clause (8) which they put into their own Bill at first, show that they consider some arrangement about this matter of emigration in the future is necessary and just, and I am sure that the Western Australians would gladly accept such a clause. It is true that the other Australian Colonies are by no means ready to welcome our emigrants now; and as this region is practically the only one left over which we have any control, I think it would be an act of folly to throw away our last chance of getting settlements for our people.

*(4.39.) MR. A. M'ARTHUR (Leicester): I entirely dissent from the sentiments which have been just expressed by the hon. Member opposite. I think a more useless Amendment was never proposed in this House. It would be of no good whatever for any Australian Colony to attempt to put restrictions in the way of emigration. In New South Wales and Victoria, as I have already stated on a former occasion, the Governments have always been most anxious to encourage emigration. They do not want the sweepings of our streets or paupers, but the more emigrants of the right sort the better they are pleased; and a more foolish idea never entered into the brain of man than that emigration is injurious to the industries of the colonies. Experience has proved that even the working classes of the colonies profit by it, though it is difficult to persuade them of the fact. The working classes of the colonies have opposed it and have brought great pressure to bear upon their Governments, with the result that, whereas previously those Governments used to give £50,000 or £100,000 a year to emigration, nothing at all is now given. The colonies want emigration, but the Governments cannot bring it about, and I think it would be well if some fund could be placed at the disposal of the West Australian Government for the promotion of immigration.

(4.42.) MR. DILLON (Mayo, E.): I do not think there is any fear in the mind of anyone who has travelled in the Australian Colonies that the Australian people will ever impose any real disability on citizens of this country desiring to go to Australia. The idea is absurd, but it is true, no matter whether you pass this clause or not, that the Australian people will certainly reserve to themselves the same rights as are enjoyed by the American people for the control of immigration. They will insist, no matter what the English Parliament may do, on their right to restrict objectionable immigration. This objectionable immigration comes under three heads. First of all, that of the Chinese subjects

of Her Majesty; secondly, of the coolies from India, which is objected to by a large section of the community, and also of those that reside in the Fiji Islands and the Southern Sea. The latter class of immigrants are admitted in some places, but objected to in others, and not allowed to land. The proposed clause will become more and more onerous in proportion to the increase of white labour in the colony. But there is another class of immigration which the Australian Colonies are beginning to object to, and will increasingly object to, namely, the importation of paupers from other countries. No matter what this House passes, Australia will not allow you to land your paupers on her shores. And more than that, I believe they will shortly stop the system of contract labour which the American people are now legislating against—the system under which large employers of labour enter into contracts with bodies of men to work for them, giving them free passages and giving them a fixed rate of wages lower than the rate generally prevailing in the country. As has been pointed out, Western Australia will have no right to pass any Act without the consent of the Crown; but what would be the result if the House were so ill-advised as to pass any clause of this kind? Simply to bring ourselves into collision with the Legislature of Western Australia. When the Act excluding the Chinese from New South Wales was sent home for the consideration of the Crown, the Executive of the colony did not wait for the assent of the Crown, but at once stopped the Chinese coming into the country, thus setting the authority of the Imperial Parliament at defiance. That is exactly what would happen in Western Australia if any such clause as this were agreed to, and you know that public opinion in this country would not back you up in any high-handed proceeding against the colony. Do you mean to say that you would tie up the hands of the people of Western Australia by a clause of this kind? If they take the matter in their own hands, what are you going to do? I believe that in the whole history of the Australian Colonies the only other instance in which Australia undertook to interfere with the free landing of British subjects from the United Kingdom was when they would not allow certain informers in the Phœnix Park murder case to land. They had no law to justify their action; but the Executive of the Colony, trusting to their own judgment, and having confidence in the people, took it upon themselves to do it. They said, "We will not allow these men to land, as it would interfere with public peace and tranquillity." These men had committed no crime. They were sent out by the Home Government, who were under apprehensions as to their safety; but the Executive of the colony said, "We will not let them land," and the Home Government acquiesced in that decision. I maintain that this clause is unnecessary and mischievous, and calculated to lead to future trouble with the colony.

*(4.49.) THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): Her Majesty's Government appreciate the motives of the hon. Member who moves the clause; but, at the same time, I think he can judge from the arguments put forward on both sides of the House that it cannot be inserted in the Bill. Her Majesty's Government are anxious to do all in their power to promote emigration, but I do not think that the method he has suggested would be likely to forward that object. Independently of that consideration, I would point out to the hon. Gentleman that the course he proposes is entirely without precedent. The other Australian Colonies have received responsible Government, but no such regulation was ever imposed on them, and if Western Australia is entitled to responsible Government the House would not be justified in imposing upon her restrictions that would be entirely foreign to those to which the other Australian Colonies are subjected. I would further point out to the hon. Member that the evidence produced before the Committee was entirely opposed to his view. All the witnesses examined—or all those who had had the best opportunity of forming an opinion—expressed themselves in the same sense as the hon. Member for Leicester. They said, "The Western Australians would reject any legislation of this sort;" and the fact of an enormous tract of land being handed over to them is rather in favour of than against their doing all they can to promote emigration. We have been told that 8,000 may be

taken to represent the adult male population of Western Australia. I do not pledge myself to the accuracy of those figures; but, if they are correct, surely that is an argument in favour of the proposition that these men will do all they can to invite labour to their shores, for the purpose of developing to the utmost the resources of the vast area so sparsely populated. Two Governors of the colony have testified to the fact that Western Australia would strenuously oppose any such clause as this. They object, as I suppose we should object, to a wholesome system of immigration which, to use a familiar Colonial expression, dumps down on their shores large numbers of paupers and criminals. And I think they are justified in that objection; and to say that they shall not be allowed to enforce any regulation with regard to that matter which shall not previously have received the assent of Parliament in this country is to impose upon them a restriction which is unfair and not in accordance with the principles of responsible Government. Further. The Act to remove doubts as to the validity of Colonial Laws, the 28 and 29 Vict., cap. 63, provides, in Sections 2 and 3, as follows:—

"Any Colonial Law which is or shall be in any respect repugnant to the Provisions of any Act of Parliament extending to the Colony to which such Law may relate, or repugnant to any Order or Regulation made under Authority of such Act of Parliament, or having in the Colony the Force and effect of such Act, shall be read subject to such Act, Order, or Regulation, and shall to the extent of such Repugnancy, but not otherwise, be and remain absolutely void and inoperative. No Colonial Law shall be or be deemed to have been void or inoperative on the ground of Repugnancy to the Law of England unless the same shall be repugnant to the Provisions of some such Act of Parliament, Order, or Regulation as aforesaid."

I think the new clause of the hon. Gentleman would be in contravention of these sections; but be that as it may, I hope that, in view of the fact that such a regulation has never been adopted in the case of any of the other colonies, and taking into consideration the fact that the evidence taken before the Committee was strongly against the principle affirmed by the clause, the hon. Gentleman will not divide the Committee, and will accept the views I have laid before him.

Baron H. de Worms

(4.56.) SIR G. CAMPBELL (Kirkcaldy, &c.): While I think the Amendment right, I doubt if the hon. Member will be able to carry it, or whether Her Majesty's Government will be at all likely to be induced to accept it, because now that we are giving Western Australia so-called "statesmen"—who are somewhat on a level with the Councillors of a tenth-rate town in this country—responsible Government, it would hardly be of any use to try and impose on the colony terms different to those we impose on other colonies. If this clause is imposed on Western Australia, we ought to impose it on all the other colonies. I think it is a clause that ought to be imposed on all the other colonies, but Her Majesty's Government do not dare to impose it on them. They dare not say "boo" to the colonies nowadays. There was a time—a century ago—when we were inclined to tyrannise over the colonies, but now the colonies tyrannise over us. The hon. Member for Mayo told us that New South Wales defied the law in regard to foreign immigration. He referred to the Chinese question. I am sure he did not wish to raise that question, but was desirous only of raising the question of what we may call the immigration of European-British subjects. The question is, whether the white subjects of Her Majesty from these British Islands should be allowed to emigrate from this country to Western Australia. Then my hon. Friend the Member for Mayo (Mr. Dillon) says we should have to make war upon these colonies in order to force our emigrants upon them. You cannot make war upon these colonies, but you can withdraw your connection and refuse to occupy the humiliating position we now occupy. You dare not contradict your colonies. You give them all they want; but when you want anything from them, you dare not insist upon having it. We are consenting to this tyrannical, overbearing treatment of the colonies. It seems to me it would be far better to say to the colonies: "If you desire to maintain the connection with us, and to retain our assistance, you must accede to our demands. Otherwise, let us part amicably." If the colonies quarrelled with other countries we should be bound to back them, whether they were right or wrong; and I think

that if the connection is to continue, they should at least submit to the reasonable demands of this country. One of those demands is that, as long as this is a United Empire, the citizens of one part shall be free to go to another part, and shall not be shut out by restrictive rules. We are told that the Australians must not admit paupers. There are paupers and paupers. A man who is unfitted to earn his bread ought not to be sent out, but I do not think that poor men ought to be shut out if they are able to earn their bread, although they may not be able to do so in this country.

*(5.5.) SIR G. BADEN-POWELL (Liverpool, Kirkdale): I should like to mention one consideration which I hope will induce the hon. Member to withdraw his Amendment. There is no Australian Legislature that has yet imposed restrictions on the immigration of British subjects into Australia. That which hon. Members mistake for such legislation is a provision against spending the money of the colonies upon taking emigrants to Australia. I may remark in this connection that the chief difficulty in regard to emigration is its cost. It has been conclusively proved that it costs between £20 and £30 to transfer a human being from this country to Australia and to settle him there. The Australians, however, are not likely in any way to interfere with the immigration of British subjects provided we pay for it. There are two technical objections to this Amendment: One is, that it would permit Chinese and coolie immigration; and the other, that the only persons exempt would be those convicted of crime. There already exist Customs Acts which prevent the landing in these colonies of persons who are not convicted of crime, including lunatics and other persons who are hopeless paupers. I think the Amendment would not be objected to by the Australians, for the reason that they do not intend to carry out any regulation forbidding the immigration of capable citizens. But I think it is unnecessary, and that it would be very injudicious, to say the least of it, to put it into the Bill.

(5.7.) MR. CHANNING (Northampton, E.) I believe the true policy of this House and of the country is to trust the colonists in this matter of emigration. I have, however, only risen to correct an error inadvertently made by the hon. Member for Kirkcaldy (Sir G. Campbell) yesterday, and which might have some importance in Australia. He quoted from a letter which he stated was from my correspondent, Mr. Hensman, but which was, in fact, written by another gentleman to the hon. Member for Flintshire (Mr. S. Smith), and which was in opposition to responsible Government. It is of some importance to Mr. Hensman that I should say neither he nor anyone else I know of acting in connection with him in Western Australia has written to me or anyone else words contrary to the adoption of responsible Government in Western Australia. The objection taken by Mr. Hensman and his friends was solely to the form of the Bill.

(5.9.) MR. BRADLAUGH (Northampton): I have refrained from speaking on this Bill in the hope that it would pass the House at a much earlier period, and I have now to express my extreme regret that those who have thought it their duty to oppose the Bill should have made use of words of opprobrium towards the Australian Colonies. It can have no good effect, and may lead to ill-feeling between the colonists and ourselves such as we all wish to avoid. It would be an absurdity to add such an Amendment to the Bill. I hope that neither here nor elsewhere will restrictions be imposed on emigration; but we must not forget that these are just the questions which arise at times when labour is plentiful and wages are falling, and these are just the occasions when the colonists would be tempted to rebel against any tie upon them. I will not push the matter further, as I understand the hon. Member does not intend to carry his Amendment to a Division. I regret that against any portion of our colonial dominions suggestions of jobbery and insult, and trying to trample upon us, words which may go to the other side of the world, and be treated there as of more importance than they deserve, should be uttered in this House.

*MR. RATHBONE: I have never uttered one word——

MR. BRADLAUGH: I referred to the hon. Member for Kirkcaldy.

*Mr. RATHBONE: I have never said one word in disparagement of the Australian Colonies. I must confess that the arguments of the Under Secretary for the Colonies are somewhat extraordinary coming from a Member of a Government who, with the consent of the Representatives of Western Australia, inserted in the Bill a clause very similar to my own. Let me point out that if this clause were read a second time it would be perfectly competent for the House to introduce words confining it to the interests of the inhabitants of the United Kingdom. The hon. Member for Shropshire talked of millions of Chinese coming in as British subjects. The hon. Gentleman—and other Members who have spoken—seem to forget that the Chinese difficulty exists now, and that it will exist if the Australians pass laws against the immigration of Chinese, laws which have to be sanctioned by Her Majesty's Government. The Queen will have to give her sanction to any of the laws which are passed against the Chinese by the Australians, and, therefore, my proposal is a wise one, because the fact of such a law existing will probably prevent objectionable legislation being proposed in Australia in times of pressure. The Under Secretary for the Colonies says there is no precedent for what I suggest. I admit there is not. I contend there is no precedent for proper foresight and statesmanship on the part of the Government of this country in dealing with our colonies. We have never taken sufficient care to look ahead more than one or two years, hence the difficulties that have occurred, and will occur again. I am afraid that there is a disposition on the part of the present Government to deal only with the difficulties of to-day, and that there is little hope of my persuading the House to look further ahead.

Question put, and negatived.

*(5.22.) Mr. P. MORGAN (Merthyr Tydvil): I beg to move the new clause which stands in my name, which is to the effect that, whether the lands be alienated or not, the gold and silver mines be vested in the Colonial Legislature. As I understand the Bill, by it the gold and silver to be found in the lands of Western Australia will pass under the general words of the clause to the persons who become possessed of the lands. I believe that the Crown cannot divest itself of the precious metals without a special Act. In this country the gold and silver found even in copper mines is vested in the Crown. Though a man may own the fee-simple of his lands and is entitled to all the mines and minerals they contain, yet he cannot touch the gold and silver without the permission of, or an arrangement with, the Crown. There is another reason why what I propose should be emphasised by a new clause. The rights of the Crown, or rather the Colonial Legislature, should be reserved in the same way as they are here at home. I am possessed of certain lands in Wales with all the mines and minerals. My predecessors in title have possessed the same rights of ownership, yet directly I attempted to mine for gold or silver on lands of which I hold the title deeds, giving me the right to the mines and minerals, I was prevented to work the lands in search of gold and silver. If, therefore, I was prevented from gold mining in this country *à fortiori*, the colonists of Western Australia should not be entitled either to seek for gold and silver without permission of the Local Legislature. Not only would I have my new clause apply to the mines of gold and silver contained in the lands to be handed over to the control of the Legislature of Western Australia, but to all lands that have been alienated. I have lived a long time in Australia, and although I have not taken part in the Debate on the Bill as a whole, yet, notwithstanding that the franchise under it may be regarded as too high, I consider that it is a good Bill, and I congratulate the Government upon introducing it. I hope that it will be speedily passed into law. In the Colony of Victoria lands which have been alienated 20, 30, or 50 years are found afterwards to contain precious metals; and, recently, a special Act of the Local Legislature has been passed whereby the right to the precious metals shall revert after 10 years to the Crown. I wish that this should be done at once in Western Australia for the benefit of working men, who would then have nothing to do but pay their fee of 10s. each, and with their picks begin to dig for gold—even on the alienated lands—to enter upon the lands of private

persons in Western Australia; of course by paying compensation, as now can be done in Victoria. It is with this object in view that I propose the new clause.

New Clause (Mines and Minerals) (*Mr. P. Morgan*), brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time.

BARON H. DE WORMS: I think the hon. Gentleman has scarcely considered his own clause, or he would have found it is absolutely unnecessary. In the first place, he speaks of all mines. "All mines" include gold and silver mines. Then again, "minerals" include gold and silver. That is the opinion of the highest Legal Authorities. As to the second part of the clause, let me point out that it would be retrospective and its effect would amount to confiscation.

*MR. P. MORGAN: All I want to do is to put the Government of Western Australia in precisely the same position with reference to land that has been alienated as the Government of this country professes to be in.

BARON H. DE WORMS: What I suggest is, that you ought not to take away rights that already exist in certain individuals and transfer them to the Legislature without compensation.

(5.29.) DR. CLARK (Caithness): I do not think the right hon. Gentleman understands the point. My hon. Friend's point is that he possesses lands in Wales just as much as any man possesses lands in Australia, and that when he mines in Wales the Crown comes down and charges him royalty. He claims that the Government of Western Australia should be placed in the same position. Just as you prevent the hon. Member from mining in Wales for gold, unless he pays the royalties, so the colonists, in permitting the sale of lands should reserve these royalties on metals. It is an important question for the colonies, and whether the gold mining industry of Western Australia will be advanced or hindered depends upon how it is settled.

*(5.31.) THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): In a few words I think I can remove all doubts, though I notice the two hon. Gentlemen do not approach the subject in the same way. First, I will deal with the objection of the hon. and learned Gentleman who moved the Amendment. Mines and minerals in the United Kingdom do not include the royal metals, and therefore arise those issues and Crown claims which have arisen in certain cases. In regard to these waste lands in Australia the position is wholly different, and there can be no doubt whatever that all mining rights, and the right to prospect for the precious metals, will be vested by the Act in the Legislature of the colony. With regard to prospecting upon lands already leased, that must depend upon grants already made. If rights have been disposed of, of course the arrangements made must be respected, but all rights else will be vested in the Legislature, with whom will be the power to licence to prospect for all minerals. The object of the Amendment is, I submit, carried out by the Bill.

Question put, and negatived.

*(5.33.) MR. MUNRO FERGUSON: The new clause which I have to propose arises out of circumstances which were referred to yesterday on the subject of the pearl fisheries. The Federal Council passed an Act applying to British ships and boats, allowing certain regulations to be enacted by the Legislative Council of Western Australia. These powers are defined in the Bill, but then follows the words "And any Act amending the same." In replying to me in the last discussion the Under Secretary said that Acts dealing with this subject were Acts of the Federal Council, and, therefore, Western Australia had no power to rescind or deal with these Acts. But to this I have to refer to the words I have quoted, which delegate to Western Australia powers under any Act for amending the Acts cited. Further it was asked if the Federal Council gave power to legislate for extra territorial waters, and the right hon. Gentleman replied "Certainly not." I will leave the Under Secretary to explain how this answer conforms to legislation which has been passed by the Federal Council, and which enables the Western Australia Federal Councils to amend and apply Acts to extra territorial waters. I need not dwell on points of detail; they are well known. It is the fact that this affects the relations between

this country and Western Australia which compels me to move this new clause.

New Clause (Jurisdiction in extra territorial waters), brought up, and read the first time.

Question proposed, "That the Clause be now read a second time."

*(5.36.) SIR R. WEBSTER: This is a subject which the Solicitor General and I had brought under our notice; but, speaking from recollection, it does not come within the Bill at all.

*MR. MUNRO FERGUSON: Sub-section 60 of the Schedule.

*SIR R. WEBSTER: I am not aware of any clause in the Bill. I may be under misapprehension. It was no part of my duty to look at the Schedule in connection with this subject.

*MR. MUNRO FERGUSON: The part upon which I ground my reason for the clause is the sub-section of the Schedule (60), which deals with the levying of duties on imports.

*SIR R. WEBSTER: That gives no warrant for the new clause. That is a Customs' clause, whereas the Fishery clauses are in the nature of police regulations, by which the various colonies under the Federal Act are enabled to regulate their own fisheries. The hon. Member now proposes that it shall not be lawful for the Legislature of the colony to exercise any jurisdiction in extra territorial waters, but the levying of duties on imports cannot affect ships sailing in those waters, notwithstanding any powers delegated by the Federal Council. Now, the hon. Member purposes to deal with a subject which, so far as I know, has never been discussed in this connection. My recollection of the matter is that, under the Federal Council Act, power was given to each colony to make its own regulations in respect to pearl fishing. The Schedule of the Bill does not touch the question at all. The Federal Council of Australasia has dealt with the matter and settled it in an Act which has been approved by Her Majesty, and it would be quite inconsistent with anything in the Bill, which does not propose to deal with fishery regulations, to pass such a clause. The question, if raised at all, should be raised on a proposal to amend the Federal Councils Act.

(5.41.) MR. HALDANE (Haddington): I am unable to agree with the Attorney General that this is not germane to the Bill. In 1883 the Legislature of this country adopted a distinct policy in regard to extra territorial Australian waters, and by Section 15 of the Act of that year exclusive power is given to the Federal Council to legislate in respect to these waters, and the regulations for fishing were placed under the authority of the Federal Council. But under the Bill, which became law in 1889, the Federal Council have done what seems to me an extraordinary thing, they have delegated their powers of regulating, among other things, the pearl fishing in extra territorial waters off Western Australia to the Legislative Council of Western Australia.

SIR R. WEBSTER: I do not agree that that is so.

MR. HALDANE: It is a matter of reference to the Act. Certain Acts are defined, but then follows the significant line, "and also any Act amending any of the same." Then, by Section 5 of the Act, there is a provision that it shall not be lawful to employ in the pearl fishing ships or boats in waters adjacent to Western Australia, unless such ships are duly licensed. In this way control is given to the Legislature of Western Australia over extra territorial waters adjacent to the colony, and directly contrary to the Act we debated in 1885. I should like to know if the Law Officers were consulted in reference to the Act, for there is the gravest reason to suppose the Federal Council acted *ultra vires* in delegating this power. This being so, British boats have been taxed by having import duties levied on them in a way that has certainly created some ill-feeling, and we are entitled in this Bill to put some restriction on the Legislature, which is now being re-constituted, in reference to the exercise of such powers. Here is a Bill recognising a new Constitution for Western Australia, and here we have an opportunity of saying what are the limits within which jurisdiction shall be enforced. It may be that Sub-section 60 in the schedule refers to treaty obligations, but that has nothing to do with whether it is right and proper to deal with the matter here. It seems to me it is perfectly right to take the opportunity

to put a limitation on the powers granted.

(5.47.) SIR R. WEBSTER: I am sorry the hon. and learned Gentleman should have thought it necessary to adopt this tone. I think it has been practically determined by the House that we cannot make any Amendment to the scheduled Bill. The hon. and learned Gentleman has brought forward no evidence to justify him in stating that there has been any gross abuse in the action of the Federal Council of Australasia, and he then goes on to ask a question which he knows cannot be answered—namely, whether the Law Officers were consulted. I do not admit that the House has before it any facts upon which to base the conclusion that the Federal Council have delegated their power, or done anything which they had not a right to do. But, even if it were so, that is not a matter which has to do with this Bill, and I respectfully protest against this side attempt to fetter the hands of the Council and the Government of Western Australia.

(5.49.) SIR G. CAMPBELL: At present Western Australia does exercise certain powers over non-Australian vessels trading from Singapore and other ports. That may be a jurisdiction British shipowners do not like, but at all events they have at the present time the consolation of knowing that the Crown Executive is under the control of the Secretary of State, so that, in a sense, they are not without protection, but the grievance will be greatly aggravated when you give up all control to the West Australian Government.

(5.50.) MR. J. MORLEY (Newcastle-upon-Tyne): I understand that not one single foreign vessel has ever come within these waters for pearl fishing. Further, if a vessel should come, it is also certain that every two weeks or so it would have to put into one of the ports of Western Australia to refit, &c. I take it that the moment such foreign vessel puts into a Western Australian port she would not be able to depart until she had taken out a licence and paid the duty. The case, however, has not arisen, and is not likely to arise.

(5.51.) MR. MUNRO FERGUSON: The question is the imposition of a tax on British ships engaged in a certain industry. I do not think the Attorney General can have read the evidence before the Special Committee, for this question was gone into very fully. Western Australia has been given certain powers by the Federal Council, and we are now asked to give her fresh powers, and some of the powers granted by the Federal Council have been exercised to the prejudice of Englishmen fishing in the extra territorial waters of Western Australia, and we have, I think, a fair right to ask that in the granting of these new powers they shall be exercised without prejudice to other rights of Englishmen in these waters.

(5.52.) MR. HALDANE: I think we have a right to complain of the way in which we have been treated in this matter. It seems to me that neither the Under Secretary or the Attorney General have taken the trouble to get up the facts. Last night I asked the Under Secretary whether the Federal Council had conferred powers upon Western Australia to legislate for extra territorial waters, and the right hon. Gentleman answered, rather recklessly, as I thought, "Certainly not." But I think we have shown that the Federal Council has conferred such powers on the Legislative Council of Western Australia, and until we have some better explanation I shall continue to say so, and I do not think there can be much doubt about it. The Attorney General says the matter was never before the Committee, and, therefore, ought not to be discussed, but, as a matter of fact, the subject was fully and specifically before the Committee in evidence. I am so far in sympathy with the views of the right hon. Gentleman the Member for Newcastle that I express no opinion upon the exercise of the licensing power. But I do say that this House, having said that the Federal Council is the proper authority to exercise this jurisdiction, the Council has delegated the powers to the Legislature of Western Australia, and that it has been exercised not in accordance with the policy which received legislative sanction in 1885. We cannot know how far the opinion of the Law Officers confirmed the validity of the Act of 1889, but we are entitled to make

provision for what may happen in the future.

Question put, and negatived.

Schedules and Preamble agreed to.

Bill reported to the House without Amendment.

*(6.0.) MR. W. H. SMITH: I trust I may appeal to the House to read the Bill a third time. There is a very general feeling in its favour, although there may be some difference as to details.

Motion made, and Question proposed, "That the Bill be now read the third time."

(6.1.) DR. CLARK (Caithness): I must object. The Bill has not been fully discussed, because the Closure was applied on a most important clause last night.

(6.2.) MR. CREMER (Shoreditch, Haggerston): If the Government had treated the opposition to the third clause of this Bill in a spirit of fairness the appeal might have been acceded to; but I think we have a right to complain of their conduct towards us. We were only allowed an hour and a quarter to discuss a most important Amendment, whereas three or four hours were given to the discussion of an Amendment of a far less important character. I know that the hon. Members for Morpeth and the Wansbeck Division of Northumberland were anxious, with other hon. Members, to speak on my Amendment; and the Government were perfectly aware of the fact that we desired to discuss a principle dear to the hearts of hundreds of thousands of men out of doors. This was the first opportunity we had had of raising a Debate on it, and yet the Government allowed us only an hour and a quarter. Under these circumstances, many of us think we are justified in opposing the Third Reading of the Bill being taken to-day.

(6.3.) MR. BURT (Morpeth): As I gather that the First Lord of the Treasury is prepared to assent to the postponement of the Third Reading, I will reserve what I have to say on the principle of the Bill until the Motion for the Third Reading is made. With regard to the very small opportunity we had last night of Debate on what I regard as the chief principle of the Bill, it is true that a good deal of time was occupied on other parts of the Bill; but I do submit that on that one question there certainly was not ample discussion.

(6.5.) DR. CLARK: Can the Bill be now read a third time, without the assent of the House?

*(6.6.) MR. SPEAKER: It must be by the general pleasure of the House.

*MR. W. H. SMITH: I had hoped that the House would agree to read this Bill a third time. I think there have been ample opportunities of discussing it. If the proposal to which hon. Members refer had been accepted the Bill would have been lost, and, under these circumstances, I hope hon. Members will not think the Government exercised undue authority in asking for the Closure last night,

(6.7.) MR. J. MORLEY (Newcastle-upon-Tyne): I, for one, shall very much regret if the House declines to assent to the Third Reading of the Bill. I have been reproached in regard to my attitude towards the Bill, which I am told is an unusual attitude for a Member of the Opposition. We who have voted with the Government in support of the measure have not, as is suggested, been supporting the Bill of the Government, but the Bill sent over from the Western Australian Legislature. The Bill of the Government, as it went before the Select Committee, is not the Bill now before the House. We succeeded in Committee, without much pressure upon the Under Secretary, in transforming the Bill in two very Radical particulars—in procuring the excision of Clauses 4 and 8. It will be most disastrous if we are going to turn colonial legislation into the vortex of Party politics. It is quite true that a very short time was allowed for the discussion of the Amendment of the hon. Member for Haggerston. I regret it was so, but so much time had been taken up needlessly with discussion on other Amendments that the hon. Gentleman suffered for the excesses of others. The course which has been taken in regard to the Bill, after it was submitted to full discussion in a Select Committee which is admitted to be impartial and not animated by Party considerations, is to be regretted.

(6.10.) MR. FENWICK (Northumberland, Wansbeck): The Government have themselves to blame for the objection

now taken to the Third Reading of the Bill. They allowed great latitude to a certain hon. Gentleman, who ultimately withdrew the Amendment, and when the First Lord made up his mind to Closure that Debate my hon. Friends supported him in his action. Yet, on what we considered to be the most important Amendment, we were only allowed three speeches before the Leader of the House, most unfairly, in my opinion, Closured us. The present opposition is, I repeat, due to the unfair manner in which the Opposition was treated last night by the Closuring of the Debate after insufficient discussion upon what was, perhaps, the crux of the whole Bill. I, for my part, shall certainly oppose the Third Reading being now taken.

*(6.12.) MR. ESSLEMONT (Aberdeen, E.): I have the greatest sympathy with my hon. Friend the Member for Haggerston with regard to the way in which his Amendment was Closured last night, seeing that the subject was one of great interest to many Members. I think we have good reason to protest against so important a Bill being so rapidly pushed through its stages by the application of the Closure.

(6.13.) MR. CONYBEARE (Cornwall, Camborne): I shall certainly object to the Third Reading. I heard an hon. Member opposite speak of this Bill last night as the most important piece of legislation before the House during the whole Session. I do not think it was right on the part of the right hon. Gentleman last night to rush it through the House as he did.

(6.14.) MR. WALLACE (Edinburgh, E.): I have endeavoured to help the Government through with this measure by religiously abstaining from uttering a single syllable in the course of the Debate, but the impression made upon my mind by the action of the Government with reference to the 3rd clause was that they were acting oppressively last night. The right hon. Baronet in charge of the Bill said the Amendment of the hon. Member for Haggerston was supported only by a Scotchman, an English lawyer, and a London Radical. Arithmetically speaking, he was correct, because the Government, by a forcible measure, stopped further discussion; but I am morally convinced that, if they had had an opportunity, 50 Members on this side would have supported the Amendment, and would have made the promoters of the Bill understand how strong was the opposition.

*(6.16.) MR. W. H. SMITH: If hon. Members really wish the Debate to be adjourned I will offer no opposition.

Debate adjourned till Thursday.

POLICE (SCOTLAND) BILL.—(No. 353.)

SECOND READING.

Order for Second Reading, read.

*(6.18.) THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): The House is aware that it is proposed to refer this Bill to a Select Committee, which will consider its details, and it will, therefore, only be necessary for me now to give a general outline of the measure. It is probably unnecessary that I should vindicate the general principle of superannuation. One of the reasons rendering the establishment of a system of superannuation desirable is the fact that the work of a constable is of a specially arduous nature, and to secure proper efficiency the men must be engaged in it when they are in the prime of life. To attract a good class of men to the Force a current of promotion is necessary. Another point to bear in mind is that the system acts as an inducement to the men to be of good conduct. A man is likely to be careful not to misconduct himself when he knows that his prospects of a retiring allowance depend on his keeping a clean defaulter's sheet. I will not stay now to dwell on general considerations, but will proceed to say a few words as to the existing state of things in Scotland. There, at the present time, there is no systematic pensioning of the Force. In the burghs the Police Authorities have a general power to give something to a man when he leaves, small periodical payments to be made during pleasure, or in some cases spread over a term of years. In the counties there is no power to spread the payment over a period of years, and the donation must take the shape of a gratuity or lump sum down. In the burghs, therefore, there are payments in the nature of pensions, but not in the counties. One feature is common both to burghs and counties—namely, that no man has

a right to a pension, under any circumstances at all. It is entirely by the pleasure of the Police Authorities if any payment is made to him on his retirement. The present amounts charged against the rates in Scotland for payments to retired constables reach a total of £4,789. Of this sum, £1,744 is for county payments, and £2,706 for burgh payments. In Greenock there is an organised Pension Fund; the charge is £338 10s. 9d. It is an argument in favour of the establishment of a statutory system of pensions that some of the counties have found pensions so necessary for the due maintenance of the Force that they have stretched the existing law, and, in lieu of only giving gratuities, have made payments in the nature of pensions, terminating after a period of years. The legality of this proceeding I greatly question. In Lanarkshire, the Police Authorities have found themselves compelled to rely upon a voluntary assessment in order to provide pensions for retired men. The feeling of the community in Lanarkshire has thus actually outstripped the present law, and proceeded in the direction in which the Government now propose to go. There is another point which must be within the knowledge of hon. Members. In many Forces may be found men whose services would not be missed, and who are kept on at a lower rate of pay, as a sort of pension, and simply because the Local Authorities do not feel justified in keeping them in the higher grade, for the performances of the duties in which they are disqualified by the advance of years. I shall start, then, with the assumption that there is a general feeling in favour of a system of superannuation for the police. Now, Sir, in regard to the provisions of the Bill, I do not think it necessary to go into them with any great amount of detail; but it may be convenient to state that the proposals we submit start with the Police Authority in each case with regard to the administration of the Police Fund. When the House remembers that the object is to promote the efficiency of the police it is manifest that there is a relation between the wages to be paid to the police and the amount of their retiring pensions, which renders it almost impossible to have one authority to regulate and determine who are to receive the pensions, and another separate authority to determine the question of wages. This, therefore, I am disposed to think is one of the necessary conditions of this measure of superannuation. But there are other provisions in the Bill. As the House is aware, we propose that a policeman shall be entitled, after a certain amount of service, to receive a pension, the amount of which is to be left flexible and determinable within certain limits of *maxima* and *minima* by the Local Authorities; but this is to be qualified by a condition which is left to the Local Authority, and that is, that they may fix the age on arriving at which alone a man shall be allowed to retire with a pension. Let me take the case of 25 years as the long period of service after which the full pension, that is to say three-fifths of the wages, is to become due, without a medical certificate. This is to be taken in connection with the proposal that the Local Authority is entitled to prescribe an age before the attainment of which a man shall not obtain a pension, even though he may have served for 25 years. On this matter, both with regard to the amount of salary between the maximum and minimum, and, also, the age between maximum and minimum, the Local Authority will have the right to decide and determine the sort of work, and the peculiarities of the service to be performed, in the particular districts as to which pensions are to be accorded. Therefore, there is a a free hand given to the Local Authorities in introducing such variances as they may deem appropriate to the circumstances of the case. Well, Sir, as I have stated, we have fixed certain *maxima* and *minima*, and I may be allowed to say, on this as on all other matters, I am not going to discuss the question whether we have fixed them rightly or not; and for this reason: that these are matters entirely for the Committee, and if the Committee consider that any modifications of our proposals should be introduced, or that certain variations should be made, they can be brought forward in Committee. I say, therefore, that the details are left entirely open. At the same time I must say that I trust hon. Members will perceive that there are limits at which it is necessary to stop in order to secure the general object of the measure, which

is the increased efficiency of the police. And now I will ask the House to see how the national aspect of the question stands; and on this point I do not intend to go into detail, but merely to indicate the general lines on which our proposals are based. In the first place, it will be convenient that I should take a figure. I will, therefore, state that the number of efficient men at the present time in the Police Force of Scotland is 4,042. Now, Sir, the proposal of the Bill is that the sum of £40,000, which is provided for in the Local Taxation Bill, should be placed in the hands of the Local Authorities, in certain proportions which, at the present moment, it is not necessary for me to discuss. The allocation of that sum will begin at the beginning. It will at once, and hereafter from year to year, be placed in the hands of the Local Authorities, and in addition to this there is the 2½ per cent. deduction from the pay of the men, which, as has been already stated, amounts to £7,500. This, again, will be an amount available year by year, and *plus* this, there is a certain amount provided from various minor and miscellaneous sources, but, as to these, I have not been able to obtain the precise details. I can, however, give the House specimens from some of the larger towns, if the House cares to have them, and it will be seen that these items amount to a considerable sum. I may say that, in regard to these items, there is great variance as between the different towns; they include such things as the payment of fines, payments for police services, and so forth, and in regard to these things it is obvious that the local conditions will vary very much. I will take, as an instance, the case of Glasgow, which, however, I do not put forward as a representative case. In Glasgow, the regular deductions of 2½ per cent. amount to £1,774, and the miscellaneous items, to which I have referred, amount to £4,530. In Aberdeen, which stands on a different footing to Glasgow, the deduction of 2½ per cent. amounts to £199, and the miscellaneous items to £136. In the other burghs and counties, I find from five counties and five burghs of which I have instances, that generally speaking, there is more derived from the miscellaneous items than from the 2½ per cent. deduction. I do not propose to enter minutely into the financial results of the scheme; but I will ask the House to suppose that 300 men are retired during the first two years, and that three-fifths is to be the proportion of the pension payable; that would come to between £15,000 and £20,000. Suppose we take the figure at £15,000 or £20,000. The result of our calculations is this: that at the outset the Government grant of £40,000 alone is much more than enough to meet the liability thrown on the fund, and the consequence will be that at this time, and for some time afterwards, a large portion of the £40,000 will be invested and accumulated, so that the rates will not be even within sight of being touched. There will not only be the surplus of the £40,000, but also the £7,500 derived from the 2½ per cent. deduction from the wages of the men. But, looking forward to a more distant period, the result of our calculations is that for at least 30 years there will be no burden whatever on the rates. An hon. Gentleman opposite seems to indicate incredulity; but I would remind him that this is a subject on which careful and detailed calculations are necessary, and if he doubts the infallibility of the calculations on which I rely I may say that, for my part, I am not convinced of the infallibility of some rival suggestions that have been made. The House will, however, observe that, so far as the rates are concerned, the question is a very remote one, assuming our calculations to be at all near the mark. But I want further to point out that, supposing at some distant time the burden is thrown on the rates, any one must see that much more than the Government contribution would be required; in fact, that much more than double would be required; and that there is no reason for alarm as far as the ratepayers are concerned is shown by the fact that the produce of one penny per pound on the valuation roll of Scotland is £83,000 per annum. Now, Sir, I am not suggesting that this amount will be required until a very remote period, if at all. I merely mention the matter as showing that the alarmist figures are necessarily circumscribed by these prosaic figures of mine.

MR. E. ROBERTSON (Dundee): Has the right hon. Gentleman made an esti-

mate of the maximum amount of the pension list?

MR. J. P. B. ROBERTSON: Yes, I have. I may say that somewhere over 50 years hence, something under £80,000 will be required, *plus* the £40,000.

MR. E. ROBERTSON: In addition to the £40,000?

MR. J. P. B. ROBERTSON: Yes.

MR. E. ROBERTSON: And above all other sources?

MR. J. P. B. ROBERTSON: I think not. I may say I think the amount of detail through which I have gone is sufficient to show what is the scheme of the Government. I am not concerned to do more than show that the scheme we propose is practical, and, moreover, presents no danger of an expenditure which can be regarded as in any way excessive. I will not now occupy more of the time of the House beyond saying that my object has been to show the general principles on which the scheme is framed. It is a scheme under which, in the first place, pensions are, by Statute Law, to be a matter of right under certain conditions, the fixing of which is to be partly by the Bill within certain limits, the adjustment of which is to be left to the Local Authorities; in the second place, our system places the power of managing these funds in the hands of the Local Authorities; while, in the third place, I hope I have said enough to show that the financial aspect of the question is such as to present no ground for alarm, and that the object in view, which is of high importance, can be obtained by the aid of the Parliamentary grant within very reasonable limits and without adding to the local burdens. I beg to move the Second Reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."

(6.45.) SIR G. TREVELYAN (Glasgow, Bridgeton): I think the Lord Advocate has set the model of the maximum of explanation in the minimum of time. And the explanation was thoroughly well adapted to leave the Committee largely free in its operations. I think the Lord Advocate under-rated the very serious nature of the change which Scotch Members are asked to make in the administration of Scotland. It is a very serious change indeed. It is not, as in England, the extension of an existing system, but it is practically the adoption of a new one. In the counties of England there are 1,650 pensioners. In the counties of Scotland there are very few pensioners, and no recognised and legal pensioners. In the English boroughs there are 5,500 pensioners; in the Scotch burghs there are, probably, taking all the men who are pensioned in an irregular manner, less that 100. What deduction ought we to draw from those figures? Up to this time there has been to say the least, the greatest lukewarmness in Scotland towards pensioning the police. What information have the Government as to the manner in which this proposal is looked on in Scotland? I say that not only should we know, as in the case of England, what is the feeling in this and that locality, but I should be very anxious indeed to know, what I must say I feel myself at this moment very ignorant of indeed, what is the feeling in Scotland in general. So ignorant are we of that feeling, that the operations of the Select Committee will have to be, I think, of a more serious character than only examining the details of the Bill. They will likewise have to inquire what is the wish in at least some of the respective localities with regard to the main objects of the Bill. The only means that we have of judging of feeling in Scotland is by a Petition—now somewhat out of date—from the Town Council of Glasgow against the Bill for the pensioning of police constables in the year 1877. From that Petition I can gather the feeling of Glasgow, which I conclude to be likewise the feeling in some of the larger towns. They take two objections to that Bill which do not apply to this Bill. The Town Council protests that the Government ought to contribute a very sensible sum towards pensioning the police. That is done by this Bill. They likewise ask for a general system over the whole country. That is given by this Bill, rightly or wrongly. The Town Council protests most strongly and most rightly against setting up a separate police pension fund, with a number of separate contributions to it, which is not a real, true, separate fund. They object exceedingly to the number

of payments which at this moment come in some shape or another into the Exchequer of the community ear-marked, and placed in a fund for the police, so as to give the idea that there are certain special funds and special sources from which the superannuation of the police may be drawn, when that merely conceals the fact that in the last resort all is to be drawn, above the contribution of the Government, from the pockets of the ratepayers. For my part, I hope the Government will consider whether this, as a separate fund, ought to be kept up, unless it is made, as my hon. Friend the Member for Aberdeen proposed to make it, a genuine fund with representative management, with full liberty of giving or withholding and giving largely or in a less degree. Either the fund should be made a real one, or else we ought to have the thing put before the community in its right shape, that is, that a certain contribution is made by the Government and that all the rest must come from the ratepayers. A request was made in reference to the English Bill that was very inadequately answered by the Lord Advocate. He gave us an estimate made with some care. I think it was very much too sanguine. The Lord Advocate said it was calculated that for 30 years hence no charge would fall upon the rates, but that everything would be covered by the Government grant. The only experience we have to go by is the experience in connection with the Metropolitan Police. It is now 28 years since the system of pensions was adopted for the Metropolitan Force, and already, over and above the £150,000 given to that Force, £50,000 is thrown upon the ratepayers. But the Home Secretary tells us that under the new scale of pensions—I have no doubt it is quite true—the burden will be doubled; so that in 28 years the cost of the pension system in London will be £250,000. To London £150,000 is given, and to Scotland £40,000.

MR. J. P. B. ROBERTSON: The right hon. Gentleman has fallen into an error. The scale adopted in 1862 is the scale in force.

SIR G. TREVELYAN: Pensions were in force before that, of course, and so far as they were in force my argument, no doubt, is weakened. Taking the experience of London, the grant given to Scotland would in 30 years be more than balanced. I have made an estimate so far as I can for Glasgow. In London at this moment the charge for pension per man is £14. Glasgow has 1,060 police, so that at that rate the charge in Glasgow for pensions would be £14,800. If, as the Home Secretary says, the burden will be doubled in 28 years, Glasgow at the end of that period would be paying £29,600. At present she stands at £1,100 a year for pensioning 25 men, so that she will have the burden of another £28,000 a year, which she would have to make up out of the Government grant and a matter of some £2,000. I resolutely refuse to deduct any of those fines or licences which go now to the ratepayers, and which, in any case, are public money.

MR. J. P. B. ROBERTSON: I did not say that I deducted them.

SIR G. TREVELYAN: I quite understand that. They are part of the funds for police pensions, and we cannot take them into account. I think the £40,000 is distributed upon an excellent system. It is given in due proportion to the amount which the different localities expend upon pensions. Under this system Glasgow will get about £12,000 a year, and the ultimate burden on Glasgow will be about £16,000 a year. In the case of a self-governing community like Glasgow the Government would do very well to inform themselves whether such a proposal is popular with the Town Council, who are the representatives of the ratepayers. There is one very great danger to which I hope the Committee will very carefully look, and I believe that the Bill contains the means to a great extent of guarding against it. The real danger is lest the police over the whole country should be a sort of military force, independent of the Local Authorities. We are not satisfied with the character of the Local Authorities charged with the management of the police. We hope that, whatever the authority is, it will have control over the police, who will look to it as their virtual paymaster. I cannot conceive anything more unfortunate, especially in the Highlands, where the authorities and the police act in unison, than that the police should be able to snap their fingers at the authorities who have control over them, because they are in no sense de-

pendent upon the Local Authorities for either their present or future. It is no use going back to the question of whether the police ought to be superannuated, or whether they ought not. We cannot afford, and we do not intend, to throw away the £40,000 which is our share—not our rightful share, but the share which is allotted to us—of the Spirit Duty. But everything depends on the pay and emoluments of the police being kept in the hands of the Local Authorities. There are great differences in the pay of the Scotch police. The pay of a constable of four years' standing is 27s. a week in the town of Glasgow, and 24s. 6d. in Inverness and Montrose, and in the counties the pay varies from 28s. to 21s. 6d. a week. There are all these differences, and it is quite right that this variety should exist. If you once place the police in these Highland counties on the same pay as that which is enjoyed in Lanarkshire, you will get them entirely out of the hands of the Local Authorities, and, for the protection of the ratepayers and the due discipline of the police, it is most essential that the Local Authorities should be able to fix the pay so as to correspond with the rate of wages and the demand for labour in their respective districts. There is another reason why you should keep the most extreme elasticity in the machinery which the Local Authorities use. For my own part, I entertain grave doubts about pensioning many classes of public servants who are pensioned already, but the principal defence of the system is that a pension is only deferred pay. For this reason it is extremely important, when this Bill has become law, that the Local Authority should have absolute power to vary the pay of the police in such a manner as to make it, together with the pension, a due reward for the labour of a policeman. I admit that there is need of something being done. At this present moment, in England, out of 37,000 policemen, there are 2,300 over the age of 50, while in Scotland, out of 4,200 policemen, there are 480 over the age of 50. Thus, in England, one policeman out of every 17 is over the age of 50, while in Scotland the proportion is one to nine. This shows that the £40,000 allotted to Scotland can be expended with some effect. I trust we shall hear nothing more of the monstrous idea which has prevailed elsewhere of retiring a man after a certain period of service, while he is still comparatively young. The taxpayer, and the ratepayer, and the citizen, have a right to protest in the most vehement manner against a man being retired under 50 or 55 years of age for any other cause but absolute inability to serve any longer. I hope the Committee will insist that the age of 55 shall be kept as the age below which a man shall not have a right to retire. I am informed that the Head Constable of Glasgow, representing, I suppose, the feeling of the police, has stated his opinion that the age should be 55, unless the man is unfitted for service; that the age should be the same for all, and that a suitable man should be allowed to remain on till the age of 60, with a slight addition to his pay. I am very glad to hear such a suggestion coming from the police themselves, because I think it shows they are public-spirited men, who do not forget the supposed interests of their calling, and yet who recognise that they are citizens who ought to think of the public too. I belief that if the Committee vigorously keep to the cardinal points I have mentioned, the Bill will be freed from some of the great evils which I am sure will be associated with the English measure, and may be, though attended with some disadvantages, of real benefit to the police.

(7.5.) MR. HUNTER (Aberdeen, N.): My position with regard to this Bill is a very simple one. If the money required for the pension scheme in Scotland is only this £40,000, I am ready to support this Bill. The Lord Advocate says that for 30 years this £40,000 will suffice without any call on the ratepayers. I will put, I will not say the sincerity, but the depth of conviction, of the right hon. Gentleman to a decisive test. If there can be no demand on the rates for 30 years, why not postpone for 30 years Clause 19, which now imposes liability on the ratepayers? There are just two ways in which we can estimate the cost of this superannuation scheme, and I quite expected that the right hon. Gentleman would have adopted one of them. One way is to lay by nothing for pensions until they arise, and when and as they arise to pro-

vide the money for paying them. That is a method which is very easy for those who impose the liability. The initial cost is small, but every year adds to that cost, and no man can tell what the ultimate amount will be. The figures we have had put before us are actually derived from the imagination, because the Home Secretary (Mr. Matthews) proved in this House that the tables on which the old pension list of London was based were utterly and entirely erroneous, and the right hon. Gentleman warned us in Scotland that it was not £40,000 nor £80,000, but something more like £120,000 that would be required for this pension scheme. Well, the second mode by which we can estimate the cost of a scheme of this kind is based upon absolute *data*. I may represent it in this way. Supposing the Government were to ask a company to undertake the obligations that this Bill entails, the price the company would demand would be the real cost of the scheme. The Lord Advocate estimated that during the next three years quite 300 persons would come upon the Pension Fund. As a matter of fact, there are more than 400 persons now serving in the police who are over the age of 50 years, and there are nearly 200 ready to come into the category of "over 50." Why we should assume that during the next three years, out of a total of 500 or 600 men, only 300 will come on to the pension list I do not understand. If you fix your pensions by age, you know exactly where you are. A policeman will go on till that age and then receive his pension. But if you fix the pension according to the number of years' service, you make it practically compulsory on a constable to receive a pension as soon as he completes his 25 years' service, for the reason that if he continues in the force longer he is liable to be dismissed, and if he is dismissed he is dismissed without a pension. Therefore, by fixing a stated period of service, such as 25 years, you make it impossible for a man to continue in the Force beyond 25 years without risking this valuable pension. The right hon. Gentleman the Lord Advocate mentioned a sum of £15,000 or £20,000 as being all that would be necessary; but that struck me as illusory. If it were £50,000 that would be an average of £50 each. In a calculation I have made, I have taken £40 as the average amount for a pension. In the table of Post Office Annuities you find that, for a man of 20 and under 21, to undertake to pay him a pension of £40 a year after 25 years' service, at which time he would have reached the age of 46, the premium required would be £16 a year. That is the sum for which the Post Office would guarantee the pension. But the premium which is available under this scheme—assuming that you give an equal share of the £40,000 to every constable in the Force, and add 2½ per cent.—the premium would be £11 9s. 8d. Thus, at the very start, taking the constable who is to contribute for 25 years, you have a deficit of £4 10s. 4d. per annum on each constable. But this scheme is not one to apply merely to future entrances into the Force. It is to apply to men now in the Force. Now, at the age of 25 the premium rises to £22 3s. 4d., which leaves a deficit on each constable of £10 13s. 8d. At the age of 30 the premium rises to £32 16s. 8d., leaving a deficit of £21 7s. 0d.; at the age of 35 the premium is £48 16s. 8d. (against which you have only £11 9s. 8d.) leaving a deficit of £37 5s. 0d. per man. These figures show that if you were to provide this prudent investment, there would be a large deficit in the £40,000. Even supposing you had all the constables in the Force at the low premium of £16 per annum pension, there would be a deficiency of £20,000 after paying the £40,000 proposed by the Government. If we advance the deficit arising upon the classes from 20 to 35 years of age, they amount to £30,000 a year; and as to those between 35 and 45 the premiums from pensions are so large that the Post Office does not publish any tables at all. The best calculation I can make by these classes is a cost of no less than £80,000 a year. There remains the large class of constables over 45 years of age, numbering 525. To buy annuities for these would cost £660 each, and to provide pensions would consequently require £326,500. On this basis we should, therefore, require to provide half a million of money in the first year; in the second year £150,000, and that sum would diminish year by year until ultimately we should have to

pay £60,000 a year. It is perfectly obvious that by paying the money in advance and accumulating it year by year we should adopt a policy ultimately more favourable to the ratepayers; and my conviction is that the figure of £120,000 given by the Home Secretary, if it errs at all, errs on the side of being under the mark. Upon the Lord Advocate's own statement these facts dispose of the Bill; and the people of Scotland are not prepared to tax themselves to the extent of £70,000 or £80,000 a year to provide pensions. This Bill proceeds upon wrong principles, and the only sound or economic proceeding is to first ascertain what our funds are, and then what pensions we can afford to pay. If the Lord Advocate had proceeded upon that principle he could never have proposed the scale of pensions which is in the Bill. I also object to the Bill on the ground that a constable would be entitled to retire on the completion of 25 years' service, and I would ask the House to compare the position of two agricultural labourers under the Bill. One does not become a constable, and has wages always under £1 a week, while his fellow becomes a constable, at once gets more than that amount, and constantly increases. At the age of 46 the constable would retire with a pension of £40, on which he could afford to live like a gentleman for the rest of his life; but he would probably take some other form of remunerative occupation, so that the labourer would have to pay rates for the superannuation of a constable who could compete with him for the more choice occupations in the country. That is adding insult to injury. There is, from the policemen's point of view, an objection of great force with respect to entrusting the payment of pensions to Local Authorities. It is to the interest of these bodies to keep down the Pension Fund, and it is to the interest of the higher officers to see that as few men come upon that fund as possible. What the policemen freely say where these pensions exist is, that when the time comes near for a pension their superiors become very strict to mark iniquity, and do not hesitate to use any excuse to dismiss the men. I very much doubt whether that prevails to anything like the extent the men believe, but by having one general Pension Fund any possibility of such a misconstruction will be removed. The Bill is also objectionable on the ground that it gives no pension for disablement from duty until after 15 years of age. Very little is gained by inserting that limitation, and I think it might be struck out. Then, I have never heard of a constable being killed in Scotland in the execution of his duty—at any rate the cases are so rare as to be scarcely worth talking about—and I would suggest to the Government that they would very much improve the attractions of the fund if they provided that, in the case of the death of a constable from any cause there should be a moderate allowance sufficient to keep the children from the poor-house until they reached the age of 15, when they would be able to earn their own living. Clause 8, dealing with the forfeiture of pension for neglect of duty, or other causes, is utterly wrong in principle and indefensible. If a man has a right to a pension he should not be deprived of that property simply because of the reasons stated in that clause. I also take great objection to Clause 21, which provides, in a qualified and unsatisfactory manner, for the return to a constable when he leaves the Force of his contributions to the fund. That is a paltry, niggling clause which, financially, is worth nothing; and I think a constable ought under such circumstances to get back his contributions. Another matter which I regret to see in the Bill is the stoppages during sickness to the resources of the Pension Fund. I think it very unfortunate that the police should have their pay stopped during sickness, and I trust that the practice may be abolished. I also hope that the words "without his default," in the clause as to pension to an officer injured in the execution of his duty, will be struck out, for no man would willingly injure himself. I must repeat that the Lord Advocate has wholly failed to show any reasons whatever for believing that the ratepayers will not be called upon to pay for the next 30 years. On the contrary, he must be wrong, for he undertook to do what the Post Office will not do. While I will vote for the Second Reading, in order that the Bill may be sent to a Committee, I will not promise to support the Third Reading

unless the Bill is so modified as to make it certain that there will be no payment whatever from the ratepayers.

(7.30.) MR. E. ROBERTSON: The House has listened with interest to the speeches which have been made in great detail on this side of the House, but I must confess that the conclusions which have been arrived at by the two hon. Members who have addressed us are extremely disappointing. They justified the Lord Advocate in the assumption—which to me seems unjustifiable—that there is an apparent unanimity in favour of this Bill. I should have thought that Scotch Members would have put in, at all events, a dilatory plea against the Bill being passed at present. Is any demand made for this Bill on behalf of the Scotch people, or on behalf of the Local Authorities who will have to work it? I do not believe there has been any such representation of public opinion as to justify the Lord Advocate in his statement, except what we have heard from the hon. Member for Aberdeen (Mr. Hunter) and the right hon. Gentleman below me (Sir G. Trevelyan). My experience is entirely in the teeth of the conclusion arrived at by these gentlemen. In the election of 1885 there was no question which excited more interest than the question of the pensioning of the police, and I can say with perfect assurance that the opinion of the working men of the constituencies is opposed in the most determined way to this principle. These working men say, "What are the police whom you propose to pension? They are working men as we are; nobody proposes to pension us. You ask us to bear the burden of providing superannuation allowances for this particular class of working men. We, being working men for whom no such provision is proposed, and for whom no such provision certainly will ever be made, entirely object to this privileged legislation which you are proposing." I sympathise strongly with that view, which was pressed upon me by representatives of working men in my own constituency in the election of 1885, and I have to consider this Bill under the obligation which I took upon myself, in 1885, to oppose the scheme, then brought forward by the Liberal Government, and which is reproduced in the present measure. The Bill proposes a wholesale pension scheme for this branch of the Public Service in Scotland. Do hon. Members opposite, does my right hon. Friend (Sir G. Trevelyan) realise the horror with which the whole business of pensions is regarded by the working classes of Scotland? I am sorry the hon. Member for Northampton (Mr. Bradlaugh) is not present. He has produced good and wholesome results on the public opinion of this country, and in Scotland there is no result more permanent and more profound than that he has inspired the whole working classes in Scotland with the most utter detestation of, and disgust with, the whole system of pensioning public servants at the public expense. It is a question admitting of some doubt whether we should pay our servants by means of pensions. If we were beginning *de novo*, and dealing with men entering the Force for the first time, it would be a doubtful question whether we should pay them by giving them a certain allowance in the name of wages, and a certain other allowance in the name of pensions, or whether we should give them the full market value of their labour in present wages and leave them to find their pensions for themselves. If we adopt the system of pensions we must proceed upon the principle that the pension, *plus* wages, shall be no more taken together than the market value of the man's wages ought to be if he is hired in the open market. The Bill treats the subject in this way. It deals with a class of men who have made engagements under a system of free contract. They are at this moment getting their full wages—the wages fixed for them by the price in the labour market—but my right hon. Friend (Sir G. Trevelyan) is willing not only to give them this but a deferred allowance also. I think that, from this point of view alone, I should be justified in offering a strenuous opposition to the whole Bill. But there is another point. The Bill deals with a whole profession which has entered into contracts with the Local Authorities, such contracts making no provision for pensions. We are going to give the same amount of pension to the constable who is on the point of retiring as to the young man who is just going to enter the Force, although the man who joins the Force now will pay a

deduction of 2½ per cent. from his pay for 25 or 30 years, while the man who is about to retire will make no such payment. There is an old parable which is quoted in vindication of the rights of labourers who come in at the eleventh hour, but receive as much wages as those who have borne the burden and heat of the day. I think common instincts are rather against the justice of the inference to be drawn from that parable. I am certain that the working men of Scotland would not submit to it as a just principle, and I do not believe the members of the Police Force in Scotland would be satisfied that those who are to make large payments during the whole period of their service are to receive no more than those who are going to quit the Service, and who will naturally make no payment at all. With regard to the financial aspect of the Bill, the Lord Advocate was unable to tell what is to be the total burden to be imposed upon the country by this pension list. It matters not where we get the money. The £40,000 from the Exchequer and the £7,500 from fees are just as much public money as the money which comes by direct contribution from the ratepayers, and I must express my regret, in regard to the speech of my hon. Friend (Mr. Hunter), because he said that if nothing was to be asked for from the ratepayers he was entirely for the Bill. I do not look at it from that point of view at all. We are putting a burden on the people of Scotland, as to which all we know is that there will be £40,000 of local Scotch money and £15,000 of other local contributions. Beyond that, there will be a sum as to which evidently no calculation has been made, but which the Lord Advocate estimated at £80,000. Therefore, what you are doing is to put on Scotland a burden which at a minimum must mean £120,000 per annum, and if we count other local contributions must amount to £150,000. Capitalised, that means a direct expense of something like £4,000,000 or £5,000,000 for the pensioning of men who have entered into contracts which make no provision for such pensions. The pension is a mere superfluity and gratuity; and the burden you are asking the Scotch Members to place on the Scotch people to pay is £120,000 or £150,000 a year. It may be said that burden is not coming into existence immediately. The Lord Advocate said the burden of £80,000 will not fall upon the people for 50 years. That, it appears to me, is an extravagant estimate. Under the Bill these men may all be superannuated at the end of 25 years, and thus at the end of that period the absolute maximum possible may be realised, and the full burden of £120,000 or £150,000 per annum placed on the people of Scotland. And all this is being proposed as something thrown in by way of gratuity to public servants with whom we have already made a contract in the open market. After the expression I had five years ago of the opinion of my constituents on the question I should have no right to vote for the Bill; but after the statements that have been laid before the House by the promoters of the Bill, I am bound to say I feel justified, without any disrespect to the police, without any desire to depreciate their character, or under-estimate the value of their services, to offer to this Bill the very strongest opposition. I should just like to ask the Liberal Members, who I fear have been induced to pledge themselves to some kind of superannuation, what their working men supporters will think of this proposal. Again, I ask, what are they going to do with the other Public Services in Scotland beside the police? Are they going to treat them in the same way? What are they going to do with men who are not in the Public Service at all, in the sense of being engaged by the public, but who render services as great and as valuable as those rendered by the men who are technically public servants? I have a case before me where a man 78 years of age, who has spent all his days upon the land, has received no public pension, but who, after bringing up his family decently and respectably, finds himself unable to do anything more. What does your law do for him? It offers him something like 2s. per week. This man may have a son, and it is this man and his class who will have to provide for the superannuation of the police. At the same time, you propose that a constable at 45 shall be entitled to a pension equal to three-fifths of his pay. It will pay a policeman well to retire at 45 on three-fifths of his salary,

for the chances are that with the open market he will be able to get employment that will bring more than the other two-fifths. Summing up my objections to the measure, I may say this is an English measure, which is forced upon Scotland in the same way as English ideas have been forcibly impressed on Scotland, greatly to its disadvantage, in the matter of education. By the necessities of your position in England you are bound to formulate some scheme of superannuation for policemen, and because you are under that obligation, you think it necessary to force the same system upon us in Scotland. In the second place, I object to the Bill because it has been put forward before it is asked for, and in the face of evidence that justifies us in saying that the opinion of Scotland, if it were consulted, would be not only lukewarm, but distinctly hostile to the whole principle. That being the state of Scotch opinion, the Government are bound to give us time for consultation, and to know what our constituents and the Local Authorities who are to administer it think of the measure. Lastly, I object to the Bill from the point of view of general interest. This Bill is of the same colour as all the legislative proposals of the Government this Session. They are all tarred with the same brush—I do not know whether the brush is imposed by the Chancellor of the Exchequer. They are tarred with the same brush in the sense that every one of these Bills constitutes in itself a raid upon the Public Treasury for the benefit of a class.

An hon. MEMBER: The police a class!

MR. E. ROBERTSON: Yes; they are putting a burden of £120,000 upon the people of Scotland for the benefit of a class. It is what they tried to do with regard to the licensing clauses, the Land Purchase Bill, and even the Tithes Bill to a limited extent. The Western Australia Bill is, to some extent, of the same character. It is a most remarkable thing that this Government of the classes seems to be concerned in an attempt to divert a certain portion of the Public Treasury in whatever shape it may be to the benefit of some section of the community. Liberal Governments in days past have been accused of harassing the various interests. The Government of the present day has read the lesson of previous Liberal Governments in this way, and it harasses the public in order to do as much good as it can to the interests of classes with the hope that those classes will serve them in the day of trouble. I object to the Bill from that point of view, and from the further point of view that it is put forward entirely without demand, and that, therefore, we are justified in asking that time shall be given to the people of Scotland to express their wishes on the subject.

(7.55.) MR. MARK STEWART (Kirkcudbright): If there is one thing quite certain it is that if the hon. and learned Gentleman (Mr. E. Robertson) and his friends had their way no Police Superannuation Bill for Scotland would pass. The hon. and learned Gentleman has made a great deal of the fact that there is no demand for the Bill. I have had something to do with police matters in my own county, and I am able to say that, although this is not a burning question, although men's minds are not agitated on the subject, it is a matter which everyone has regarded as one which must be brought about some day; and surely when there are so many discordant elements in the House in agreement as to the principle of the measure, it is not an inopportune time to press forward a Superannuation Bill. I have in my mind's eye constables who have continued in the Force until an advanced age in the hope that some Superannuation Bill will be passed. The Local Authorities do not care to burden the rates heavily by pensioning the men, neither do they care to dismiss the officers in a tyrannical manner. I have another case in my mind, that of a police officer who was for some years the head constable in an English county. He took a similar position in a Scotch county, with the result that, in consequence of there being no Superannuation Fund, in Scotland he will leave the Scotch Force a great deal poorer than he would have left the English Force. I think that when there is a consensus of opinion that such a measure as this is feasible and expedient, the Government are not only justified in doing something, but are called upon to do something in the matter. The hon. and learned Gentleman says that the working men are hostile to this Bill; but I doubt

whether the working men who view this matter reasonably and dispassionately will protest against the measure. It must be borne in mind that the details of the Bill can be adequately discussed in the Committee upstairs. For instance, if it is found that the measure imposes large burdens on the rates, attention will very properly be called to the fact, and, if necessary, alterations made. I think that a man who serves a longer period should be entitled to a proportionately larger pension, and in that direction I should like to see the scheme re-arranged. The statement of the Lord Advocate must have done much to allay the financial apprehensions that have been raised; and I am satisfied that if the Bill is carefully considered in a spirit of generous justice, we may hope that it will be welcomed throughout Scotland, and have a good effect upon the Force.

*(8.0.) MR. D. CRAWFORD (Lanark, N.E.): I think the Government have placed Members who think a reasonable case for a Superannuation Bill has been made out in a position of considerable difficulty, and for two reasons: In the first place, this is obviously a Bill upon which, in one form or another, Local Authorities ought to have been consulted. In my opinion, it was the duty of the Government to consult them directly. The Government ought to have come to the House, and to have been able to say, "We have obtained the opinions, not only of the Police Authorities, but of the Rating Authorities, who have to pay the expenses of this Bill." As they have not taken that course, at least the Bill ought to have been before the country for a considerable time, so as to allow Members an opportunity of consulting their constituents and obtaining that information which I think the Government ought to have obtained for themselves. I feel that these difficulties are very serious indeed. They do not prevent me from voting for the Second Reading of the Bill; but, so far as our opinions on this side of the House are concerned, I believe we are unanimous in thinking that our assent to the Bill must be held in suspense until we see, after the deliberations of the Select Committee, how far our objections are removed. There is another objection, that we have not authentic information—I think I am entitled to say this—as to what the cost of this scheme to the country will be. The Lord Advocate, for the first time to-night, has placed before us certain calculations, carefully made, no doubt, but they are entirely in conflict with the calculations presented to the House by my hon. Friend the Member for Aberdeen, whose calculations have certainly a basis of fact, as they were derived from statistics of the Post Office Insurance Scheme, whereas we had no information from the Lord Advocate as to what his calculations were based upon. That lack of information, I admit, may be supplied by due activity during the investigation by the Select Committee. There is one principle of very old application which has been referred to to-night by the right hon. Gentleman the Member for Bridgeton—that is, that pensions should be regarded as deferred pay. That principle, I think, was rather too much lost sight of in the statement of the Lord Advocate. If, as was urged by the hon. Member for Dundee (Mr. Robertson), you are going to give policemen full pay and pension over and above that as a sheer present, can you be surprised that this scheme should excite resentment and opposition on the part of Local Authorities? That is a view of the subject which has been ignored by the Lord Advocate. I will make a practical application of this view. I admit it is a difficult case; I foresee that if you establish any scheme of superannuation you can scarcely say, without causing great dissatisfaction, that men are to be entirely excluded, even though they have not contributed to the building up of the fund; but surely those men who retire to-morrow, the labourers who have only worked from the eleventh hour, should not carry off exactly as much pension as those who have contributed out of their moderate earnings during the whole of their working lives from the age of 21. That is a part of the scheme that will certainly require modification when it reaches the stage of Committee. There is another point of general principle I would also urge, and it has been touched upon by the right hon. Gentleman (Sir G. Trevelyan); it is of the utmost importance that we should give a very free hand in the administration of the scheme to Local Authorities. The Bill proposes to do that to a very

limited extent. The Bill, I think, does not interfere with the power of Local Authorities to fix the pay of constables, and it also gives them power to fix the limit of age up to which a man must serve before he can receive his pension; but I think we must go still further and give power to Local Authorities to determine for themselves whether they will accept any burden upon the rates or whether they will be contented with the contributions of the men and such share as they may get of the aid afforded by Parliament. I feel there are most important and difficult questions in this Bill; and if the Bill is to be passed, it must be after it has been carefully examined in Committee and evidence taken upon it. I know that several of my hon. Friends wish to address the House, and my object now is simply to point out in a friendly spirit the very serious difficulty I feel there will be in passing the Bill as rapidly as it must be passed in the shape in which it is presented to the House. I do not agree with my hon. Friends who have indicated their opposition to superannuation altogether. It is all very well for my hon. Friend the Member for Dundee to point to the case of a man who, having worked upon the land up to the age of 78 then had nothing but a poor allowance from the Parochial Board to support him; but if the policeman fares better, all I can say is that it should not be in violation of the principle of deferred pay. A policeman should get a fair return for his work, and no more; and if he does not get more, then he need not fear comparison between the treatment he gets and the treatment of the pauper. I feel very strongly that some measure of superannuation would be a good thing, not only for the police themselves, but for the country. It is perfectly true that they have a semi-military occupation, and their value to the country only lasts during the prime of their life. The authorities cannot turn them adrift as soon as they have passed their best. It is desirable that such a scheme should be adopted, but we must be careful that it is not too lavish as compared with the remuneration of other classes in the working community. If the Government are prepared in Committee to discuss the matter fairly, and will make fair concessions, my own opinion is the Bill will pass with general assent. The country will not, I think, object to the Government taking the initiative. This is one of the Bills, and here I differ from my hon. Friend the Member for Dundee—as to which the country look to the Government to take the initiative. They can hardly expect Local Authorities to come and ask to have this burden put upon the rates, but if the scheme is a fair one they will not refuse to accept it. It is quite true that the Bill is framed too much upon English lines, but, as I have said, it is capable of modifications in Committee, which will make it acceptable to the people of Scotland.

*(8.45.) MR. ESSLEMONT (Aberdeen, N.): I think that a case has been made out for the Second Reading of this Bill, and the adoption of the principle of the Bill, but, while I say this, I desire to have an open mind regarding the further progress of the Bill and the condition in which it may leave the Select Committee to which it is to be committed. Of course, I assume that that Committee will altogether, or almost, be composed of Scotch Members. With regard to the principle of this Bill, I think there is very little to be said logically or sternly in favour of the principle of superannuation. But the question is less one of principle than expedience, and there is, from my point of view, nothing more to be said in favour of pensioning the police than any other class of public servants, unless by a system of deferred payment or superanuation we can keep in the Force a more efficient body of men than we otherwise would have, and my support of the Bill is purely influenced by the expediency of improving the efficiency of the Force. We have adopted this principle in London and other parts of England, and in Ireland. It has frequently been represented to me by the superintendents of police in Scotland that the want of a Superannuation Fund in that country has been so felt by the men in the Police Force, that as soon as men became efficient they showed a desire to join some of the Forces in connection with which a Superannuation Fund has been established.

One of the results of this was that the best of the police in Scotland were in the habit of joining the English or Irish Forces, leaving the less efficient men at home. There is another practical difficulty which has to be got over. We have in the Force a number of men who have become, on account of age and infirmity, unfit for duty. When one goes to the superintendent of the police and represents this fact, one is constantly met with the reply: What am I to do with these men? Whether from circumstances which they could or could not control, they heve saved no money, but they have been good and faithful public servants. I have the greatest sympathy with the superintendents, who deprecate the step of throwing these poor men on the Parochial Board in their latter days, and that is the reason why these men are retained for years in the Force after their efficiency is lost. But there is another circumstance which must be taken into account—these men are exposed to great temptations. They are occasionally employed to administer Acts of Parliament upon which opinions are much divided, the Games Act in the country, and the Licensing Acts in towns, for instance. These men are open to heavy temptations, which they must find it very hard to resist if they are underpaid or have no hope of a competency in their old age. A system of superannuation, it is to be hoped, would be an incentive to keep up the discipline and integrity of the Force, and to make the men independent of temptations of this kind. It is for reasons such as this that I feel that rather a strong case has been made out in favour of superannuation. But no indication has been given by the Lord Advocate that the people of Scotland will be prepared to accept the Bill on the lines in which it is drawn. For my own part, I think the working classes in Scotland will never agree to superannuate policemen at the rate of 15s. or 16s. per week, which is, at the present time, the full pay of ordinary unskilled labourers throughout Scotland, to superannuate them at the age of 45 or 46, and enable them, at the same time, to enter the labour market in competition with themselves. I hope it will be made clear under this Bill that no such allowance will be made to policemen under the age of 55. At the same time I desire that a man who is healthy, and who has contributed his share, should feel that he is entitled to superannuation, and that he will not be in the position of going and begging for it. The Member for Dundee has challenged Liberal Members to justify this principle of superannuation, but he has run away without hearing our justification, I admit that unless the employment of the policeman is different from that of an ordinary workman, there is no case made out in favour of superannuation. But I think that the police stand in a very exceptional position. I believe that we may trust the working men of Scotland to do what is fair in this matter. It must be remembered that when a man is taken away from a given trade or industry for a period of 30 years he is not then in a position to compete very successfully in the labour market, and he cannot readily adapt himself to the new conditions. I think that, for the sake of the efficiency of the Force and in the interests of discipline, a good case is made out for superannuation. Has the right hon. Gentleman the Lord Advocate calculated that he is by this Bill raising the wages of every constable throughout Scotland at once by at least £10 a year? This is a large and serious rise. If you divide the sum by the number of constables employed, you will find that this £40,000 will give an increase of something like £10 to each man. I quite agree with the Lord Advocate in thinking that the large increase spoken of, extending up to £150,000 a year, is an exaggeration of what may be expected in the near future. I do not believe that the Bill is drawn on the lines suited to the circumstances of Scotland, and the £40,000 payable from the Imperial Exchequer will be more than sufficient, for many years to come, for the superannuation of the Scotch police. It would be a great mistake to believe that the circumstances of the Scotch police are to be compared with those of the police of London. The Scotch police can live much more cheaply, the price of labour is relatively less, and in their old age a smaller sum would suffice for their maintenance than would be necessary were they living in a great city like

London. We cannot conceal the important fact that the duties of the police in London are very different from those of the Scottish police. The amount of exertion required from the London police is not to be compared with the leisurely life led by the constables of Scotland. The hon. Member for Dundee (Mr. E. Robertson) has told us that he has given some sacred pledges against superannuation in any shape or form. I am sorry he has so pledged himself, because I think it rather unwise to give many pledges to one's constituents. So far as I am concerned, I am under no pledge whatever on this question. I have had opportunities of hearing this matter discussed in Town Councils and other bodies in Scotland for many years past, for it is by no means a new subject, and I think the Lord Advocate will not deny that among those Public Bodies there is great diversity of opinion. The Lord Advocate shakes his head, and I should be glad if he or any other Member of the Government would stand up and state that Petitions have been received from County Councils or other Public Bodies in Scotland asking for this superannuation. No such things exist. It may be that the Inspectors of police, the superintendents, and the constables have been asking for superannuation, but the large mass of constituents have not considered the question, and I know that a great many of them are decidedly adverse to the proposals. I hope, therefore, that the Government will send this Bill to a Committee with an open mind, and that, in the interests of the police and superannuation, they will not drive matters too far, because, if they attempt to hurry this proposal through Parliament too soon, they will arouse a feeling of opposition in Scotland. Public Bodies in Scotland ought, at least, to have some little time to consider the Bill and express their opinion upon it, even if it were assumed that they are in favour of its principle. It should be understood that, although most of us on this side of the House support the principle of the measure, we desire to be left free as to the action we may take when the Bill is in Committee. I believe we shall not be able to effect a satisfactory settlement of the question unless care is taken that those who come up from Scotland representing the police and those who are opposed to this superannuation proposition are called upon to give evidence before the Committee, so that the subject may be considered in all its bearings, and a hasty and premature legislation on the question be thereby avoided. This is one of the things which the Government have sprung upon the country in a sudden and abrupt manner, and without consideration. We have in Scotland been considering questions relating to public health and police for the last 8 or 10 years. The Lord Advocate cannot find time for the introduction of legislation of a sanitary character, but he asks us to find time to pass a Bill for the superannuation of the police, with regard to which no direct encouragement has been given to the Government. I support the Second Reading of the Bill because the subject is deserving of consideration, but I am anxious to put before the Government the fact that the people of Scotland are anxious to have an opportunity of further considering the question, and I think the House would best promote the interests of Scotland by refraining from forcing this measure in a hasty and hurried way upon the House.

*(9.5.) MR. SHIRESS WILL (Montrose): I think it will be admitted that the case of Scotland is very different from that of England. In England we have had growing up for many years a system more or less perfect, under which a system of pensions has grown up and now prevails generally. In Scotland, on the other hand, except in very exceptional cases no such system exists. One would have expected to have heard from the right hon. Gentleman in charge of the Bill some justification for its introduction in the form in which we find it, especially when we find that it is in exactly the same terms and almost the same words as the Bill relating to England. Indeed, it seems to me that the right hon. Gentleman has taken the English Bill, and wherever he has found the word "England" he has struck it out and inserted the word "Scotland," and that is practically all the difference between the Bills for the two countries. It is a question whether in Scotland there is any strong desire to deal with

this question of superannuation at all. I think the right hon. Gentleman will find, if he makes the inquiry, that a strong feeling is growing up against the lavish pensions proposed by this Bill under the name of superannuation. We have some evidence before the House as to what is the extent of the wants of Scotland, but the right hon. Gentleman has not referred to that evidence. I would refer him to the recently expressed opinion of the Inspector of Constabulary, laid before the House during the present year. On page 7 of the Report to which I refer, that gentleman says—

"By the passing of a much required general Superannuation Act, to provide suitable pensions on retirement for deserving and worn-out officers and men, and towards a fund of this nature the members are desirous of contributing."

Therefore, all that is demanded is a pension for men who are superannuated in the sense of being "worn out." But what is the object of this Bill? It is to apply to Scotland the same scale of superannuation that exists in England, and I ask the right hon. Gentleman to consider whether it is right or just to apply the same rule to Scotland. The average of the county constable's wages is £70, and that of the borough constable's is £71, and if you apply the proposed principle of superannuation after 25 years' service, you will find that a man at 46 will be able to retire on a pension of £46 per annum. I venture to say that in all the discussions which have taken place in Scotland on this question no one has ever had the idea that a man of 46 years of age should be able to retire on an annual pension of £46. I now come to another matter. Doubtless the finances of the right hon. Gentleman has some good basis, which, however, he has failed to disclose. We are told that the Government have taken actuarial advice on this matter. If they have, it is so much the worse for the figures, but whether they have taken actuarial advice or not they have volunteered no information to the House. Under these circumstances is it reasonable to ask us to accept the right hon. Gentleman's calculation that in 50 years the amount that will be required beyond the £40,000 already provided for will be £80,000 only? He has calculated that only 30 men would be retired in the course of three years, and that up to 50 years hence we shall not reach the maximum charge for superannuation; but he has not given attention to this, or, if he has, he has not taken it into account, namely, that according to the Returns before the House there are in the Police Force of Scotland 373 men who have served between 15 and 20 years, 272 who have served between 20 and 25 years, and 194 men who have served between 25 and 30 years, so that in a comparatively short period the whole of these men will be entitled to retire on pensions. That will absorb, say, £35,000 out of the £40,000 coming from the Imperial Exchequer. This Bill is one which the Scotch people themselves are not prepared for. The Inspector of Constabulary in his Report says:—

"The factor of deferred pay might be introduced in the consideration of this most important subject."

What is contemplated by this Bill is to pension off all those men with whom you are under no contract to pay pension, and to whom you have been paying full wages, and from whom no deferred pay has been deducted. What the Report of the Inspector General contemplates is superannuation to which the men shall contribute; and, therefore, I deduce from that recommendation that if the men who have been serving in the past deserve a pension that pension should be on some other lines than those proposed in the Bill. I am not disposed to reject the Second Reading of the Bill, because I desire to see a fair Bill dealing with the £40,000, and dealing also with the contributions referred to in Clause 16 of the Bill. As regards so much of these contributions as are derived from the Sick Funds, I quite agree in what has been said that too much stress must not be laid on them, because the system of stopping the pay of the sick has been reported against by competent authorities. I think it is extremely unwise, in most instances, to take away from a man his pay, at a time when he most wants it, when he is in sickness, which I assume is real sickness, and not

malingering, which would soon be discovered by the police doctor. I will record my vote for the Second Reading, reserving to myself liberty at any subsequent stage to oppose the Bill, should I have reason to be dissatisfied with it.

*(9.20.) MR. PROVAND (Blackfriars, Glasgow): It will have been gathered from what has fallen from hon. Members that the Scotch Members are not opposed to superannuation in any form, but we are opposed to it on the extravagant terms embodied in the Bill. We are nearly unanimously of opinion, further, that this is far more a question for the Local Authority than for the Parliamentary Authority. To this view there has been only one exception—the hon. Member for Aberdeen, who also showed clearly that there is no principle whatever in pensioning constables, and that it is entirely a matter of expediency. He certainly succeeded in making a very good case indeed, on the ground of expediency, for some method of superannuation, although he, like all the others who have spoken, was against such extravagant terms as those proposed by the Bill. I should like to know why the Government in this matter have discarded local opinion with which they should have made themselves familiar. It is certain that this Bill is entirely unasked for in Scotland. No communications have reached me with reference to it. I have heard nothing from my constituents with reference to police superannuation for four or five years, and at that time the opinions of my constituents were against it. I am certain that the feeling throughout Scotland against this Bill will not be lessened when they read the startling statements made in this Debate respecting the amount that is likely to be involved in the carrying out of this measure. To the sum of £40,000, according to the Lord Advocate, is to be added £7,500 of percentages from the pay of the police, and a further sum of £10,000, making a total of about £60,000. But all this is nothing to what the hon. Member for Aberdeen has told us to expect. His calculations, which he gave in such detail that they can be checked by the Government, is that ultimately at least three times the amount will be required in Scotland that will be granted by this measure. That is to say, a sum of £120,000, and I am certain that the people of Scotland will be much surprised when they hear that the Bill will involve them in such a contingent annual liability. It has been remarked in this Debate that pension is merely deferred pay. I believe that is a definition which no one will object to; it therefore follows that those who get high pay being able to provide for the future should get small pensions. But this Bill is based on a diametrically opposite principle, because as the pension is to be proportionate to the pay, those who now receive the highest pay will also get the highest pensions. According to the terms of this Bill, those constables who retire at once will receive their pensions without having contributed anything from their pay, whereas those who join after the Bill is passed will be required to contribute from their pay as the condition of receiving pensions. It seems to be only fair that the constables who are now retiring from the Service, never having contributed anything to the fund, should receive smaller pensions than those now in the Service and those who join hereafter, because they will all contribute to the fund. I wish to call attention to Clause 16 of the Bill, providing that various amounts received for fines and in other ways should be added to the Pension Fund. I think it wrong in principle that the police should have any direct interest whatever in creating their own Pension Fund, and this clause ought to be struck out of the Bill. No constable should have a direct interest, by means of fines or otherwise, in adding to the Pension Fund. It would leave them open to the imputation that they might arrest persons in order to have them fined, and so benefit themselves. These receipts amount now to about £10,000, and that money, I contend, should go into the Municipal Fund, and from it should be granted whatever amount the Local Authority is disposed to give in aid of the Pension Fund. In this way the whole of the money which might be granted by the Local Authority in lieu of the fines and other sources of income mentioned under Clause 16, would be just

as if it had been drawn direct from the rates. Notice has been given by two hon. Members to reject the Bill, and, knowing its extravagant terms, I feel that if they carry the question to a Division I must give them my support. It is not because I am against superannuation of any kind, but because I am against extravagant superannuation, that I oppose this measure. I hope opportunity will be given to the Select Committee to ascertain local opinions in Scotland. I feel satisfied that when it comes to their knowledge that this Bill may involve an ultimate expenditure of £120,000 a year, the proposal will meet with very liitle support. At the same time, the Local Authorities may be perfectly ready to come to terms in reference to some reasonable scheme of superannuation of which they have complete control.

*(9.29.) SIR J. KINLOCH (Perth, E.): Sir, I venture to make a few remarks in reference to the speech of the hon. Member for Aberdeen for trying to prove to the House that there would be heavy loss to rates. He stated that the only means of arriving at a fair understanding of the question was to take the example of an Insurance Company and see what premium it charged for a similar annuity. He took the Post Office instance, and then cited the case of a constable joining at 21 and retiring at 46 years of age, receiving an annuity of £40 a year, after having paid an annual premium of £16. The money, he pointed out, proposed to be given by the Government was £40,000, and the 2½ per cent. to be deducted from the pay would give an annual premium of about £11 10s. 0d., leaving a deficit of £4 10s., which would be the amount of the loss on the rates. Now, it seems to me rather an arbitrary thing to base your calculation upon one Insurance Company alone. If you examine the Tables of the largest Insurance Company in the world, the Mutual of New York, you will find that instead of requiring £16 in annual premiums you will require only £13 for the same annuity. This completely upsets the calculation of the hon. and learned Member for Aberdeen (Mr. Hunter). If he can quote one Insurance Company, I can quote another; and I think the one is as good as the other. As to the rest of the Bill, I think it will be most acceptable to Scotland if, when it goes upstairs, the age limit is altered to 50 or 55. I think, however, the clause which provides that a constable may by misconduct lose his pension after he has acquired a right to it is a very bad one. When a man has paid a premium, which a constable will be doing in the shape of deferred pay, during all the time of his service I think it is a very arbitrary thing to say that he should lose the pension for which he has thus paid.

(9.32.) MR. MARJORIBANKS (Berwickshire): My own inclination would lead me to follow the course indicated by my right hon. Friend the Member for Bridgeton (Sir G. Trevelyan) and support the Second Reading of this Bill. But my vote on the Second Reading must depend very greatly on assurances which are yet to come from the Government. I think that chief amongst such assurances I must put a very full and complete statement with regard to the constitution and powers of the Select Committee to which the Bill is to be referred. We are always told that on measures of a non-Party character like this the Government are disposed to give full play to the opinions, and full consideration to the wishes, of the Scotch Members. It seems to me that this affords the Government a very suitable opportunity for proving that they really carry into practice the professions which are so often made to us. I think the proposal that the Bill should be referred to a Committee consisting of all the Scottish Members is a very reasonable proposal. I would point out to the right hon. and learned Lord Advocate that by adopting it he would lose none of the power of the Government to modify or vote down —I do not use the expression in an offensive sense — the wishes of the Scottish Members in some future part of the proceedings on this Bill. I wish to say also that the Committee, whatever its constitution, ought, in my opinion, to have full power to call witnesses from different parts of Scotland to examine into the views of the people of Scotland. Otherwise the Committee would certainly not fulfil the object for which it is to be appointed. I am bound to confess that I

myself am prepared to support the principle of superannuation for the police. I do not in the least mean to say that I support the details of the proposals in the present Bill, or that I admit that because certain arrangements are made in the Metropolis, or in England generally, the same or similar arrangements should be made for Scotland. The conditions and the requirements are totally different. At the same time, I do not at all agree with the position taken up by my hon. Friend the Member for Dundee (Mr. E. Robertson), when he said that the proposed superannuation of the police would be an absolute hardship and grievance to that working men class from which the police are drawn. My own view is that the duties of a policeman are peculiar ones and responsible ones. We want to draw from the class from which the police are taken the best, the most intelligent and educated men we can get. We want to make the profession of the policeman such that it shall be worth while for the best men to adopt it. But to say that these men shall be retired at the age of 45 in Scotland is, I believe, perfectly farcical, and a proposal that will commend itself to no portion of the constituencies in Scotland. The hon. Member for Dundee also said that the hon. Member for Northampton (Mr. Bradlaugh) had imbued the working men in Scotland with the most tremendous hatred of all pensions. I do not quite agree with my hon. Friend in that proposition. The hon. Member for Northampton's point of attack has been perpetual pensions. To give the police pensions is only to give them the same advantage as I believe almost every other class of Civil servants already have; and I think that when a constable has done his duty, and has worn himself out in the Service, we may well provide for his declining years and his failing health by giving him a pension. I am disposed to think that the amount that will be needful to carry out a superannuation scheme has been somewhat exaggerated by some of my hon. Friends. We are led to suppose that the amount that will eventually fall on the rates in the Metropolis for superannuation purposes is the sum of £250,000. If we take it at that figure, and compare the numbers of the police in Scotland with those in London, we find that the amount that will fall on the rates in Scotland is exactly £72,150. That would be less than 1d. in the £1 on the whole valuation in Scotland. I do not assume that that amount will be thrown on the rates in Scotland, because I do not believe we shall at all adopt the scale that is to be adopted in England. For my part, I shall be prepared to support the Second Reading of this Bill if the Government give us satisfactory assurances as to the constitution of the Committee, and also assurances that they will be guided by the decisions of that Committee when it makes its Report on this Bill.

(9.43.) MR. SOMERVELL (Ayr &c.): The right hon. Gentleman who has just sat down has introduced a considerable amount of matter that would more appropriately be dealt with in the Debate as to the constitution of the Select Committee than on the Second Reading of the Bill. The question we have now to determine is whether the principle of the superannuation of the police is a right and proper principle. The question of the constitution of the Select Committee is one entirely for future consideration. But it appears to me that the only valid objection that has been raised as to why this Bill should not be read a second time is that it has been to a certain extent flashed on the country. I do not know whether hon. Members who make that statement have looked into the history of this question; but it would not appear that they have made themselves familiar with the long period of time during which this question of the superannuation of the Scotch police has been before both Houses of Parliament. In 1858 there was an inquiry, there was a Select Committee of the House of Commons appointed to consider the subject in 1877, and in 1883 there was another inquiry, so that it is an absurdity to say that this subject has not been ventilated in the country. It is said that the Government is departing from the principle which should be observed in dealing with this question, because it is founded on the principle embodied in the English Bill; but I say that hon. Members who make that statement have not read the Reports of the Committees who con-

sidered the question. The question whether superannuation should be granted after a fixed period of years or at a certain age was considered and reported on, and there was a large concensus of opinion—of the best and most influential description—in favour of the principle of granting superannuation after a fixed term of years. It was stated that it was essential to getting the best class into the Police Force that these payments should be given after a fixed term of years, so that there should be no uncertainty when a young man entered the Service as to the period at which he would be pensioned, that period not depending on the failure of his health. A man who enters the Service at 21 might serve 38 years without his health failing, and the prospect of a pension at the end of that term of years is not a sufficient inducement to attract men to the Service, and to keep them there when they have entered. In the Report of the House of Commons Committee of 1877 we find—

"I see from the evidence that a fixed term of service has been asked for by some of the influential witnesses, and this, which does not appear unreasonable . . . . would have as one result the advantage of enabling the conscientious constable to get the pension which was at one time obtained by the malingerer for slight, short, or even artful incapacity."

The late Lieutenant General Cartwright, Her Majesty's Inspector of Constabulary (England), states—

"I consider age to be of little consequence compared with service, for, if it is to be based upon age, if a man enters at 40, he soon arrives at 60, comparatively, and he gets his pension. Then the men who are the best men whom we have in the Force, generally speaking, are those who come in young, about 22 years of age, and who are trained to their duties. These would have to wait 38 years before they would arrive at the age of 60, so that really the only thing to do is to strike out age and to put in service. When he has served a certain number of years, he should have a claim upon the fund? Yes; when he has served a certain number of years. I will not pretend to say what number of years, but I am sure it would be of the greatest advantage in getting the right sort of men into the Force if there was a knowledge that it was to be made a profession for life, and that after a certain period they were to have a certain pension."

That disposes of the argument reiterated time after time by a considerable number of Members on the other side of the House. The Government in introducing this measure have not brought in a new principle, but have adopted the principle recommended by the Committee of 1887, and I think that when hon. Members have further time to consider, they will see that it is of great advantage that the pension should be granted for a fixed term of years. A policeman, especially in the mining districts, should be physically capable of coping with criminals in the prime of life, and he therefore ought not to be retained in the Force until years enfeebled him. To say, as some hon. Members seem to wish, that policemen should not become entitled to pensions until quite incapacitated by bodily ailments would, I maintain, have the effect of deterring good men from entering the Force. That a constable who is ailing, but who might recover if relieved from work, should be compelled to remain in the Force if he wished to gain a pension, until his disease should have taken a firm hold of his constitution, would be cruel and inhuman. It should be remembered that the Police Force is certainly not popular, especially in the country, where the constable is always on duty day and night, Sundays and holidays. The Force is one that requires men of self-control, and the service is one which deprives the men during the whole of their lives, of many innocent enjoyments. County police must not be regarded in the same light as burgh police. In the burghs, the men go on duty for a certain number of hours, after which they are relieved, and they have a limited amount of night duty. The case of the county policeman is different. He is never relieved; he cannot make friends, because he may be be liable at any time to arrest his neighbour. He is placed in a peculiar position, and unless you hold out special inducements, you will never get good men to join, or when good men have joined, you will never retain them in the Service. In 1873 the average of retirements from the police in Scotland was 16 per cent. When wages rose in 1874 and onwards, the average retirements were 30 per cent.; and last year, according to the Report presented by the Chief Inspector, there were 115 more retirements than the year before. Why is that? To my mind it is because wages outside are good, and there is no Pension Fund, and

the duties are unpopular. It is of the greatest importance that you should be able to retain men especially in counties such as Lanarkshire and Ayrshire, and in the mining districts generally, where wages are constantly going up and down. It is at the very time when wages are high, and rioting and drunkenness are most frequent, that the Police Service is most unpopular. It is at these times that the policeman can better himself by leaving the Force, and it is at these times that they do leave the Force. In the Constabulary you cannot raise and lower wages, as they do in the outside world, according to the state of trade. If you once raise wages in the Police Force they are raised for ever, so that you have to be very careful what you do; and I maintain that it therefore becomes necessary that we should offer what other inducements are open to us to get men to resist the temptation to leave the Force at such times as they find their duties unpopular. The best thing we can do is to provide a Superannuation Fund. It is said that such a scheme will entail a heavy charge on the ratepayers at some future period; but I fail entirely to follow the figures of the hon. Member for Aberdeen. No doubt in starting a superannuation scheme, seeing that it has not hitherto been in existence in Scotland, as it has in England, you will have more than an average number of men thrown on the fund, and you must expect to have a large demand made on your purse, but according to an actuarial calculation made in one of the Scotch counties, if you started a superannuation scheme just now, and stopped at this $2\frac{1}{2}$ per cent., and had to levy a $\frac{1}{2}$d. rate to make up the deficiency, in the course of 10 years you would find a $\frac{1}{4}$d. rate sufficient, and in another 10 years $\frac{1}{8}$d. It would be inevitably necessary to raise this additional sum when starting a superannuation system. There must be a number of men who cannot be said to be absolutely inefficient, and who are only remaining in the Force because there is no Superannuation Fund, and because to turn them away would be to deprive them of a means of subsistence. They have not joined Benefit Societies, for the reason that for the past 22 years they have been expecting a police superannuation scheme. It should be remembered that there is a superannuation system in England, and the effect of that is that at the present time the best men in the Scotch Police are annually being drawn away to the English police by the temptations which the Superannuation Fund in England offers. It is of vital importance to Scotland that the question should receive a final solution. I do not for a moment say that I am in favour of every provision of the Bill as it stands. I do not believe in this peddling certificate money clause, but that is only a detail which can be easily remedied. We have to consider, broadly, whether it is necessary that there should be a Police Superannuation Bill for Scotland, and I claim that I have shown that it is essential to the police and the people of Scotland that this question should be dealt with. The question we have most to consider is whether the Bill can be so improved in Committee as to satisfy the people it is intended to benefit, without undue pressure on the ratepayers. I maintain that this is such a measure. If my two premises are admitted, I say that Gentlemen on both sides of the House have no alternative but to vote for the Bill and to leave it to the consideration of a Select Committee, in the confidence that in this question Party feeling will be laid aside, and that a Member will be actuated with the intention of doing justice to the ratepayer, and at the same time giving to the police that to which they are justly entitled.

(10.5.) DR. CLARK (Caithness): I regret that, notwithstanding the strong assertion of the hon. Gentleman, I have not been converted to a belief in the desirability of the Bill. I listened to the lucid statement of the right hon. and learned Lord Advocate in introducing the Bill, and I was sorry that not more than half-a-dozen of his own Party were present to hear him. I was not satisfied with what the right hon. and learned Gentleman said in support of the Bill. He told us the pension system was quite a new thing in Scottish Local Government life, but that it is in existence in England, and, therefore, ought to be introduced into Scotland. I do not think that is a very strong argument, judging from the tone of the Scottish electors and Members. I

think it will not be long before we refuse to take the coins contemptuously thrown to us by the English Government, and demand our full share of the Public Funds. We have not in Scotland this pension system at all, and hence we have not all the abuses that are always associated with pensions and superannuations. We are told that we cannot get good men unless we give pensions. I do not know any place in the north in which there is any difficulty in getting good men. The position of a policeman is very popular, and a dozen men generally apply for every vacancy. The best plan to adopt is to pay full salary to your men and let them buy annuities or enter Friendly Societies, and so develop thrift and foresight. We have not had any information as to a measure of this kind being asked for by Local Authorities in Scotland. I am rather inclined to doubt the accuracy of the actuarial knowledge of the hon. Member for Ayr Burghs (Mr. Somervell). The Home Secretary told us the other day that instead of £40,000 we really want £120,000. That is very much nearer the mark. Before long you may want £150,000. Moreover, by this Bill you are striking at the control of the police, and you are going to centralise the Force. And more than that, you are introducing, by means of one of the clauses, a little Coercion Act for the Highlands. One of the burghs in my county has refused to take your grant. They do not want the police to be stuck up and to be made imitation soldiers. They prefer to have their men modestly dressed and not *quasi*-soldiers. Orkney and Shetland prefer to have control over their police. What you want to do by the 24th and 25th clauses is to amend the General Police Act, and you want to introduce into Scotland the pension system. England wants a Bill of this kind, and, therefore, a Bill of the same type must be drafted for Scotland. The 24th clause provides that the police may be sent anywhere in the country, and it even provides that the Police Authorities may take naval and military expeditions under their control, and defray the cost out of the Police Funds. We are, therefore, to have a little mild form of coercion for the Highlands. I do not think you require either extra police, soldiers, or marines. The Bill will be costly, and is totally unnecessary, and I think that before a heavy burden of this kind is placed upon them, the people of Scotland should have some little time for consideration. I beg to move that the Bill be read the third time this day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Dr. Clark.*)

Question proposed, "That the word 'now' stand part of the Question."

(10.15.) MR. J. WILSON (Lanarkshire, Govan): I rise to support the provisions of this Bill, so far as they are in accordance with what my hon. Friend the Member for Aberdeen has pointed out. There is no superannuation for the police of Scotland at present. The police of England and of Ireland, the military, naval, and civil servants of the Crown have pensions, and while I would not vote for any extravagant superannuation scheme, entailing a very heavy burden upon the people of Scotland, I think that, upon the whole, there is good ground for some police superannuation scheme for Scotland. I am very much of the same mind as the right hon. Gentlemen the Member for Bridgeton, who thinks that 45 or even 50 years of age is too early to give a man a pension. I think the right hon. Gentleman struck the key note when he placed the age at 55. In cities and large centres of population both the temper and the nerves of the police officers are sorely tried, but in the borough of Govan, where we have a very large working-class population, I am proud to say the Police Force is in such a high state of discipline that, notwithstanding that they have sometimes some very troublesome parties to deal with, there is a remarkably good feeling between the inhabitants and the police, and I am sure the Local Authority will welcome a well-devised scheme of police superannuation. I know that the superintendents of the Police Force will approve of a superannuation scheme because it will bind the men to their duties and keep them from going away to other situations. I hope the Lord Advocate will give special weight to

what fell from the right hon. Gentleman the Member for Berwickshire (Mr. Marjoribanks) as to referring the Bill to a Select Committee composed of Scotch Members. Judging from the attenuated attendance upon the Government Benches, it is evident English Members take no interest in this case. Hence it is only right and fair that the Scotch Members should settle the matter themselves. Though the Bill is not everything we desire, I regard it as a fair attempt on the part of the Government to supply a want which has been long felt, and I may encourage the Lord Advocate by saying that so far as I know the Local Authorities, there is a very strong feeling in favour of some scheme of superannuation. I shall support the Second Reading of the Bill on the distinct understanding that we are left a free hand when we come to consider it in the Select Committee.

(10.20.) MR. CALDWELL (Glasgow, St. Rollox): So far as I understand the feeling of the people of Scotland, especially in the working class centres, it is entirely opposed to anything in the nature of a police superannuation scheme. Superannuation of the police can only be defended on the ground of some necessity. Necessity may be of two kinds—the necessity of efficiency and the necessity of getting men into the Service. The police of Scotland are as efficient a body of police as can be found anywhere, and there is no want of supply. When the question of increased pay came before the Town Council of Glasgow, it was said that any number of men could be got to join the Force, and the Council felt that under such circumstances it would be most unreasonable to give increased pay. Then it is said that this £40,000 is a present to Scotland, and the Chancellor of the Exchequer says, "If you do not want it, leave it, or take it for the superannuation of the police." It is perfectly obvious that this money must be given to Scotland, apart altogether from the question whether it is applied to police superannuation or not. This £40,000 belongs to the Scotch people, and if it is not used for the purpose of superannuating the police, it must be used for some other Scotch purpose. What do the people see at the present moment? There are 40,000 policemen in Scotland. They get about £300,000 a year. They are perfectly content with their wage, and the Local Authorities receive as many as 10 applications for every vacancy. The average wage is about 27s. a week, besides clothing, which is considerably more than the average wage of the working man, and yet in these circumstances we find the Government proposing to give £40,000, or £10 per man more. But it is not only the £40,000 that has to be considered. The £40,000 may have to be increased to £120,000, as the Home Secretary pointed out. The right hon. Gentleman has no interest whatever in magnifying the sum. In this case you have got selected lives, men who have been taken into the Force on account of their specially good constitutions. After 25 years' service these men are to enjoy pensions. Who are the policemen in Glasgow, for instance? They are the hardiest men in Scotland, and it is impossible to find a more healthy body of men anywhere. They are the very men who, retiring at 45 or 50 on pensions of 16s. a week, are very likely to live until they are even 90 years of age. Everyone knows that the longest lives are those of annuitants, and in this case we are dealing with selected lives. It must not be supposed that because a man in Scotland is 50 years he is not fit to be a policeman. It is not brute force that makes a man a good policeman; tact and discretion are of far more importance than brute force. Young and strong men are, no doubt, required in those parts of a city where rowdyism is rampant; but there are many opportunities of utilising the services of policemen advanced in years. I think the Government are making a great mistake in raising this question. The people of Scotland consider that the policemen in Scotland get an ample wage, far above what the ordinary working men get, that the wage is steady, and that the employment is comparatively light. They have, no doubt, to stand in the streets a considerable time, but the omnibus conductor is required to stand for long hours together. If you try to convert the police into a military Force, the result will be to destroy the friendly feeling which exists between the police and the

public in Scotland, and which distinguishes the case of the Scottish people from that of the English Metropolis. Of course, where you have a mere handful of police in proportion to the population, it would be utterly impossible to maintain law and order unless the police were supported by public opinion, and the more you endeavour to make the police a military body the more will you estrange them from the people. I agree with the right hon. Gentleman the Member for Bridgeton (Sir G. Trevelyan) that you must take the present pay of the police, and regard the superannuation as deferred pay, in order to arrive at the market value of the policeman. It has been shown that in Scotland the market value of the policeman at the present moment is exactly the pay he receives. There are a dozen applicants for every vacancy, and the men are all thoroughly efficient. There are no complaints of want of men or want of efficiency, and, this being so, no case is made out for introducing this superannuation proposal, except as an extra gratuity to the men. And I am quite certain that the people of Scotland will look very much askant at the proposal to set aside for superannuation purposes the large sum of £40,000 per annum, especially when that is coupled with the probability of its being increased by £80,000 at no very distant future, making a total of £120,000 a year as a superannuation provision for 4,000 policemen. It seems an extraordinary thing that the Government can provide £120,000 a year for police pensions, and yet be unable to devote the modest sum of £10,000 or £20,000 for the relief of those who are suffering from agricultural distress in Scotland.

(10.34.) MR. W. P. SINCLAIR (Falkirk, &c.): In proposing to create a new fund for the purpose of giving a pension list to Scotland I think we ought to take great care that we should act upon sound principles. It seems to me that both in the English and Scotch measures the soundness of the principle on which the police pension fund is to be created is in considerable doubt. The fund is made up of contributions from different sources. One of those contributions comes from the police themselves. It is generally assumed that the deduction from the pay of the police will be 2½ per cent. of their wages. This is in the nature of deferred pay, and to this is added contributions from other sources, including the £40,000 from the Imperial Exchequer. The policemen's contributions, being in the nature of deferred pay, ought to be obtainable by every policeman at the end of his period of service, under whatever circumstances he may leave the Force, even in the case of misconduct, which I put as a severe test. If the pension is derivable from funds of this character he has a right to his share in consideration of the contribution he has made. On the other hand, the pensions derivable from such a fund as the £40,000 payable from Imperial sources should be regarded as an act of grace and a reward for meritorious service. I think great difficulty will arise from the mixing up of those different cases of funds as the source from which the pension is derivable. It seems to me that much of the trouble arising in London and other places is due to the confusion of mind occasioned among the recipients of pensions as to the fund from which the pensions are obtained. In so far as the policeman's pension is derived from his own pay, or deferred pay, he has, in my opinion, an absolute and unalienable right to it, even, as I have said, in case of his dismissal for misconduct; and this ought not to be confused with any other sort of superannuation given as a reward for meritorious service. I trust that when the Bill is in Committee the question of the character of the fund will be carefully considered. Otherwise I am afraid it will be found, as has been stated by the hon. Member for Caithness (Dr. Clark), that abuses are always associated with pensions.

(10.40.) MR. BRYCE (Aberdeen, S.): I think the date of this Bill shows that the Government have introduced it without due consideration. The origin of the Bill is by no means satisfactory, because the House has been asked in the first place to vote money, and then to pass a Bill to appropriate it to this purpose. It would have been far better if the Government had first asked the House to pass a Bill to provide for police superannuation, and then to vote the money necessary for carrying the

provisions of such a measure into effect. The Lord Advocate has observed that Scotch Members are in considerable doubt about this measure, and the reason of that is because the Local Authorities have not been able to express any opinion with regard to the superannuation of the police. Had there been any strong desire on the part of the Scotch Local Authorities in favour of this proposal, they would certainly have made their voices heard. The hon. Member for Dundee has put the case very strongly against all superannuation, but I confess that I am not prepared to follow the hon. Member to that length. It has already been pointed out that superannuation, as far as it merely means deferred pay, involves no injustice to the working men. It is impossible to avoid superannuation in some form or other, and if it must exist it ought to be the subject of a certain system, so as to induce steady and respectable men to enter the Force, and insure that there should be no jobbery with regard to it. In these circumstances I confess that I do not see how hon. Members are to refuse to read the Bill a second time, unless they agree with the hon. Member for Dundee and object to the principle of superannuation altogether. If everybody can be heard in Committee who can represent the feelings and wishes of Scotland, I do not see that there is anything in the Bill so objectionable as to prevent us giving it a Second Reading. I, therefore, propose, and I believe it is the view of most of us who are discontented with the Bill, to support the Second Reading of the Bill, trusting that ample opportunity will be given in Committee to ascertain the wishes of Scotland.

(10.46.) MR. ARTHUR ELLIOT (Roxburgh): I think the great majority of us are pretty much agreed on the principle of superannuation; but I must say I was a little alarmed when my right hon. Friend (Mr. Marjoribanks) suggested that the Committee should take evidence, and go into an elaborate inquiry, which might possibly have the effect of throwing this measure over to another Session. My right hon. Friend, when he began his remarks, attributed to the Government some sort of sudden inspiration in taking up this subject, as if they were legislating in a new way. The genesis of this measure has not been in the minds of my hon. Friends opposite within the last few months. Again and again during the last 10 years I have heard proposals by Government after Government, to institute police superannuation for both the English and Scotch Forces. I come from the Borders, and I have heard it again and again alleged that constables are leaving the Scotch for the English Force, in which better terms exist as to superannuation. That is a state of things which requires to be remedied. My right hon. Friend spoke of aged policemen, as, on the whole, rather beneficial to a Force, as if they were the Nestors to their rural friends around them. I do not think that is the case. In Scotland, in the big towns especially, we want active, strong, energetic men. It is quite true that the police are a popular Force, especially in the part of Scotland from which I come, and I think we have a right to complain if the men are drawn away to the English Force by reason of the better terms which exist there. My hon. and learned Friend (Dr. Hunter) made some observations as to the forfeiture of deferred pay. My hon. and learned Friend said that we are treating those who are really members of the working classes in an unjust manner, not in the manner in which other members of the community would be treated. He said that forfeiture long ago was given up as a barbarous remedy, and he asked us not to act in that retrograde fashion. But in regard to the Army, Navy, and Civil Service, if my hon. and learned Friend will take the trouble to refer to the Act, he will find forfeiture of the pension is provided for in case of felony. This Bill acts in direct conformity with that principle, and we are only dealing with police pensioners as with any other pensioners in the Public Service. But the real question in connection with this Bill is whether or not we are making a very bad bargain, or, in fact, making a good bargain. It is clear that we cannot properly thrash out that question here, and I believe the Committee will be able to go into the figures of the right hon. Gentleman (the Lord Advocate), and see whether they are right. I shall vote

in favour of the principle of superannuation, and I have no doubt the Bill will be referred to a Select Committee.

(10.55.) MR. J. P. B. ROBERTSON: Sir, the right hon. Gentleman the Member for Berwickshire has raised, perhaps, the most tangible question. He has spoken of the Second Reading as a matter of course, as did the majority of hon. Members opposite who have addressed the House. Not more than two or three of the speeches were in a tone of inexorable hostility to the Bill, and to the principle of superannuation. The hon. and learned Member for Dundee spoke in a very stern tone, and the Motion of the hon. Member for Caithness is made in the same spirit. But beyond these objections, I am not aware that any voice has been raised to the progress of the measure. The right hon. Gentleman the Member for Berwickshire, as I said, raised the question of the constitution of the Select Committee. That Committee will, of course, be struck by the methods known to the House, and I have not the least doubt that on both sides of the House there will be a desire that there should be a preponderance of Scotch Members on the Committee, though, at the same time, there will be no wish to preclude either side of the House from putting upon the Committee any Members who have a special knowledge of the circumstances of the case. As to the number of the Committee, it will be something like 17.

MR. MARJORIBANKS: Twenty-one.

MR. J. P. B. ROBERTSON: Well, these are matters which my hon. Friends are more conversant with than I am. As to the scope of the operations of the Committee, we come across some political phenomena which are worthy the attention of the House. Complaint is made that we do not know the feeling of Scotland. The hon. Member for St. Rollox uniformly uses the phrase, "The people of Scotland," but what are hon. Members from Scotland here for unless it be to represent "the people of Scotland?" The right hon. Gentlemen the Members for Bridgeton and Berwickshire, and other hon. Members, cannot escape their several responsibilities. I greatly deprecate the suggestion that the Select Committee is to inquire into the feeling of Scotland, and if the opinion of every Local Authority were to be sought the inquiry would be extended far beyond the limits which would permit of the Bill being passed this Session. The scope of the inquiry will rather be directed to matters of technique, to questions of management of the Force, and to actuarial calculations. The hon. Member for Aberdeen has raised the question of actuarial calculations, and I am glad to find that he has not insuperable confidence in the figures which he has given, and that he takes them not from the point of view of his own authority, but rather as being for the Committee to examine. Then, I understood the hon. Member for East Aberdeen to say that £40,000 was more than sufficient for many years.

*MR. ESSLEMONT: Without the other funds, I think it is sufficient provided the age is fixed at 55, not as the Bill now stands.

MR. J. P. B. ROBERTSON: Yes, Sir; that is a satisfactory answer to the point I put to the hon. Gentleman. We have no intention of urging on the House the scale set out in the Schedule or the number of years service to be insisted on before a pension is granted. These are matters which must be considered with special reference to the general opinion of Scotland, and we hope to derive that opinion from the hon. Gentlemen who sit upon the Committee. I gather from my hon. Friends who sit behind me that they concur in the view that the figures in the Bill need not represent the ultimate decision of the Committee, but there are reasons for taking them as the *maxima* and *minima*. In the Committee there will, I hope, be a candid examination of the whole subject with the full assent of the Government. This, I think, affords a solution of some of the difficulties put forward by various hon. Members. The Committee will have an opportunity of examining the

actuarial calculations. I hope that I have made it plain that the desire of the Government is to pass the Bill during the present Session, and the Government will enter the Committee, not with the view of exploring all the regions of local opinion upon the subject; but, relying for Scotch opinion upon the members of the Committee, they hope that evidence will be taken only of that kind which will inform the Committee on technical matters, and that the rest of the work of the Committee will be in presenting its opinion to the House. I have no doubt we shall arrive, before the Session closes, at a happy conclusion, both for the police and for those whose interests are guarded by them.

(11.5.) MR. CAMPBELL-BANNERMAN (Stirling, &c.): I think that only a little more is wanted to make the understanding with regard to the Committee perfectly clear. We desire that this inquiry should be as complete as possible. There is no desire to go through the whole field of Scotch opinion, but it would not be at all unreasonable that a few typical Public Authorities—Clerks of Supply, Clerks of the Peace, Town Clerks, or others representing municipal authority in Scotland, and possibly some representative Chief Constables—should be brought before the Committee in order that our information may be complete. We have only had this Bill before us a week, and when we are taunted, as we have been, with confessing our ignorance of Scotch opinion upon it, the explanation is that the measure has so recently been laid before us that we have had no opportunity of ascertaining the views of the people of Scotland upon it. I trust that the evidence to be laid before the Committee on technical matters will include some proof of the basis of the actuarial calculation, because we all know that serious errors sometimes creep into calculations of this kind. It must be borne in mind that this proposal is an entirely new departure in Scotland—new not only in the sense of its being a scheme for the general superannuation of the police, but a departure in that it is the first introduction of the principle of pensioning the servants of Local Authorities. I admit the proposal to refer the Bill to a Committee composed exclusively of Scotch Members is somewhat novel; but if that cannot be conceded, I hope the Committee will be so predominantly Scotch that there will be no apprehension on the part of the Scotch Members that their opinion will be overridden by their Colleagues of other nationalities.

(11.10.) MR. WALLACE (Edinburgh, E.): I think that the Lord Advocate is perfectly correct in his reasoning when he assumes that if the Bill be referred to a Select Committee there is no meaning or propriety in the desire that that Committee should inquire into the feeling of the people of Scotland in regard to it. If the Bill is to be read a second time, then I assume that the principle of it is to be taken for granted, and it seems to me quite ridiculous to expect a Select Committee to address itself to the question of the feeling of the people of Scotland. I agree with the right hon. Gentleman who last spoke, that this is practically a new question for Scotland. Certainly the hon. Member for the Ayr Burghs denied that this Bill had been flashed on the country, because he said that in 1868, it was fully before the country. But may I remind the hon. Member that 1868 is a long time ago, and entirely a fresh class of voters has grown up, and is composed of men who know nothing of what was done in 1868?

MR. SOMERVELL: I also stated that in 1883 a Bill was introduced in the House of Lords on the subject.

MR. WALLACE: I know the hon. Member mentioned what was done in 1883, but I am not aware that the public attention of Scotland was at the time

very much drawn to the subject. I repeat that the question of the superannuation of the police has not been prominently before the people of Scotland. I consider that the proper course for those who hold that this matter has not been sufficiently before the people of Scotland is to vote for the Amendment of the hon. Member for Caithness, as I propose to do if the hon. Member goes to a Division. The question has not been one of those which have been prominent as political questions in Scotland, and it is far too soon to call upon Scotch Representatives to carry out a mandate from their constituencies. For my own part, I have no mandate from mine, yes or no; and if I am compelled to come to a conclusion, it is that it is too soon to read this Bill a second time. I am simply in the position of desiring that the people of Scotland shall have more time to consider a question which has never really been put before them up to this time.

(11.15.) The House divided:—Ayes 226; Noes 51.—(Div. List, No. 171.)

Main Question put, and agreed to.

Bill read a second time.

Motion made, and Question proposed, "That the Bill be committed to a Select Committee."—(*The Lord Advocate.*)

*MR. D. CRAWFORD: I should like to ask whether the Committee will have power to send for persons, papers, and records?

MR. J. P. B. ROBERTSON: I have already mentioned that we propose that shall be within the scope of the inquiry.

(11.34.) MR. E. ROBERTSON: I have an Amendment to the effect that the Committee shall be composed of the Members for all the Scotch constituencies, but I do not think it is suitable or desirable to detain the House now, and I believe I shall be equally in order in proposing my Amendment on the Motion for the nomination of the Committee.

DR. CLARK: Will the hon. Member be in order then; will he not have to move alternative names?

*MR. SPEAKER: If the nomination of the Committee is set down for the commencement of business the hon. Member will have considerable difficulty in moving an Amendment of that character.

(11.35.) MR. E. ROBERTSON: Then I will move the Amendment of which I have given notice. I only wish to point out that a Motion similar to this was proposed at the beginning of the Session of 1889 with reference to a most important Scotch Bill; but that Motion was imperfect and incomplete, inasmuch as the terms of the Motion only proposed that the Committee should consist of a preponderating proportion of Scotch Members, admitting the presence of English Members. It is no secret that this was not what the Scotch Members desired. There was a meeting of Scotch Liberal Members, in which the proposal was unanimously supported that Scotch Bills should be referred to Committees composed of all the Scotch Members; but in deference to the views of right hon. Gentlemen on the Front Opposition Bench, the Motion was altered and submitted in a mutilated form. Now, I propose to renew the Motion which in 1889 received the support of the whole Scotch Liberal Party. At this stage I will not trouble the House with argument in support of my proposition, but there is one point I must advert to. English Members have been very much blamed because they have voted down the majority of Scotch Members on Scotch questions, but I have always thought there was a fallacy in the complaint. English Members are called upon to express an opinion by going into the Lobby, and they are condemned because they voted against the Scotch majority, which, however, cannot be known until the Division is declared. I

have always thought there was something unfair in the complaint. But I do think the House ought, in reference to a Scotch Bill, to inform itself as to Scotch opinion, and should respect that opinion. This Bill is exclusively Scotch in its subject. Hardly an English Member has considered it worth his while to occupy a seat on the opposite Benches throughout the discussion. I am sure there is no English Member who on this subject would not respect the opinion of the Scotch majority—and I offer them the opportunity of informing themselves of what Scotch opinion really is by referring the Bill to a Committee composed of all the Scotch Members. I appeal to our leaders on the Front Bench to withdraw the ban they placed on this proposal 18 months ago, and allow us to go to a Division on the Motion.

Amendment proposed, at the end of the Question, to add the words "consisting of all Members representing Scottish constituencies."—(*Mr. Edmund Robertson*).

Question proposed, "That those words be there added."

(11.40.) MR. MARJORIBANKS: My hon. and learned Friend has not exactly stated what took place in regard to the proposal for Committee on the Local Government Bill for Scotland. The proposal made in the House was not to refer the Bill to a Select Committee, but to a Grand Committee; and the proposal was, I think, that the Committee should consist of all the Scotch Members, with 40 Members added.

MR. E. ROBERTSON: That was the proposal in the House. I was referring to a proposal in the meeting of Scotch Liberal Members upstairs which was received, if not unanimously, nearly so, that it should be an exclusively Scotch Committee.

MR. MARJORIBANKS: I will not discuss what took place at a private meeting of Scotch Members, but I may say that the question of a Select Committee was not raised; what was referred to was a Grand Committee to take the place of Committee of the whole House and totally different from the position of a Select Committee, which, as my hon. and learned Friend knows, does not take the place of Committee of the whole House. Therefore, I think my hon. and learned Friend stands on firmer ground in moving that this Bill be referred to a Select Committee representing all Scotch constituencies, because the House itself does not forego one of its stages, and any alterations made by the Select Committee will be subject to the revision of the House in Committee. The proposal of my hon. and learned Friend is open to far fewer objections than the proposal of last Session; he stands on firmer ground, and ought to receive far more general support from all sections of the House. For my own part, I trust the Government will assent to the proposal, and I shall support it.

(11.42.) MR. J. P. B. ROBERTSON: I may say at once we cannot accept this proposal. When the subject was alluded to in a somewhat incidental and cavalier way earlier in the discussion, it was waived aside by a right hon. Gentleman opposite as an impractical suggestion, to be mentioned only to be discarded. I can only say, as I have said formerly, that all the reasons which animate the conduct of business in this House are arguments against the proposal. What would the right hon. Gentleman the Member for Berwickshire say if, on an English question, it were proposed that the Committee should consist entirely of English Members? Would he consent on a question of general political and administrative importance such as this to have the matter determined upon by English Members alone? If he did he would receive more than the measured degree of condemnation this Motion received from his Colleague earlier in the evening, and would stand alone——

MR. MARJORIBANKS: The right hon. Gentleman has put a question directly to me, and perhaps he will allow me to answer it directly by saying that if it were a measure referring as entirely and completely to English interests and English money as this Bill refers

entirely and completely to Scotch interests, all I can say is, that I should be only too glad that English Members alone should deal with it.

MR. J. P. B. ROBERTSON: Yes; but there would, I imagine, be near the right hon. Gentleman those with subtle minds to discover fine distinctions, who would show that the measure was not so completely and peculiarly English as at first sight it seemed to be. It has been evidenced during the previous Debate that the House is desirous of approaching this subject as a matter of business, and I can only suppose that this Motion is made for some collateral purpose, but not directly concerned in a settlement of the question of the superannuation of the police. We are anxious to carry the Bill to a successful issue, and cannot accept the Amendment.

(11.44.) MR. HUNTER: I desire to point out that when the Bill comes back from the Select Committee it would have to go through a Committee of the whole House, when Scotch Members who were not on the Select Committee will be fully entitled to take advantage of their position to criticise the Bill. To assent to the Motion would be to obliterate one of the most difficult stages of the Bill and hasten its progress. I would seem that the Lord Advocate does not really desire to pass this Session the Bill which the Government have flourished in the eyes of some 4,000 police.

*(11.45.) MR. D. CRAWFORD: I regret very much that the Lord Advocate should have adopted such an aggressive tone towards this proposal. I may remind the House that if the proposal were accepted, it would not be following an entirely unprecedented course. In the Committee on the Burgh Police Bill of 1888, of the 24 Members, there were only two or three who represented English constituencies, and these were nominated for form sake merely, and did not attend more than once during the whole two months the Committee sat. I do not think the Lord Advocate is entitled to oppose the general wishes of the Scotch Members. I supported the Second Reading of the Bill, although there is much in it open to criticism. As a matter of fact, the Bill is drawn too much on English lines, and needs adapting to the circumstances of Scotland. I can assure the right hon. Gentleman that if he is really desirous of expediting business, the right method of doing so is not by imputing motives and making offensive insinuations, but by complying with the reasonable proposals and wishes of the Scotch Members.

(11.50.) The House divided:—Ayes 118; Noes 185.—(Div. List, No. 172.)

Main Question proposed, "That the Bill be committed to a Select Committee."

(12.0.) MR. HUNTER: On this question I would ask the Government to agree to a Motion to adjourn the Debate——

*MR. SPEAKER: Order, order!

It being after Midnight, the Debate stood adjourned.

Debate to be resumed upon Thursday.

ORDER OF PROCEDURE.

*(12.8.) MR. SPEAKER: I have to explain to the House that this being a private Members' night, Motions ought to have been put down on the Paper before the Orders of the Day other than Government Orders. In future, while the Resolution of the House allowing Government Orders to be taken on Tuesday before other business remains in force, I propose to give directions that Notices of Motion shall be printed on the Order Paper after the Government Orders and before those of private Members.

MOTION.

ENDOWED SCHOOLS ACT (CHRIST'S HOSPITAL).

*(12.9.) MR. SYDNEY GEDGE: I rise to move—

"That an humble address be presented to Her Majesty, praying Her Majesty to withhold her consent from the Scheme of the Charity Commission now before the House for the administration of the foundation commonly called Christ's Hospital."

I am aware that an hon. Member who

brings forward a Motion of this kind after 12 o'clock at night is voted a great nuisance. ["Hear, hear!"] I listen to those cheers, and I confess, if I may say so without impertinence, that they do not raise my opinion of the Members who utter them. Last night we had four Divisions—caused by the tactics of hon. Gentleman on the other side—between 12 and 1 o'clock, and on other occasions the House gives hours at this period of the night to the discussion of personal matters; but when it is a case of a public charity which has been conducted for 350 years in a manner that gives satisfaction to those who receive benefit from it, and against the administration of which very little has been alleged and scarcely anything proved, and when the law says that no charity scheme shall become law until it has laid on the Table of the House for two months, so that it shall be open to any hon. Member who may wish to do so to object to it, if a Member, in the conscientious discharge of his duty, brings forward, at the only time open to him, a Motion to protect the rights of the public and of his own constituency, and asks the House to consider whether the scheme is a good one or not, he is considered conceited, and a nuisance, and a bore. The period at which I bring on this question is the only period open to me for the purpose. In as few words as I can I will explain the matter, and I hope I may be successful in showing to those who have not studied the scheme that there is a good deal to be said against it, and that it would be well to send it back to the Endowed School Commissioners for re-consideration. I do not mean to say that the scheme contains no good points. It certainly contains one good point, though that is open to argument on the other side—the proposal that the site of Christ's Hospital in Newgate Street, consisting of five acres, which is supposed to be worth half a million of money, shall be sold and the hospital removed into the country at a short distance from London. But that is not a necessary part of the scheme, and might be carried out apart from it, and without the drastic changes in the constitution of the charity which the scheme proposes. When I look for the reasons put forward for adopting the scheme I find them in two papers. One is issued by the Endowed Commissioners themselves, and, very unfairly, this paper has not been sent to Members of the House generally, but only to those who are believed to be favourable to the scheme. The other paper is put forth anonymously, and I am not surprised at this, because it contains libels upon myself and the present Governors, unjustly accusing them of jobbery. First, we are told that the scheme is the result of 12 years' work, which will be wasted if it be rejected. My reply is, that 12 years is nothing in the life of a charity born 350 years ago. *Sat cito, si sat bene.* If the scheme has the faults which I believe it has it would be better to send it back to the Commissioners to be amended. We are told that it is accepted by the Governors. It is true that they have accepted it, but they have only accepted it because they are told that if they do not they will get a worse one some day from a Radical Government—and this is a reason why I might appeal to hon. Gentlemen opposite, but I will not do so as I desire to see this question dealt with on its merits. Then it is also said that the Judicial Committee of the Privy Council has passed the scheme. No doubt they have, but they look at the matter from a legal point of view, while I and others look at the question from a broader standpoint; we viewed it as a matter affecting the whole charity, and indeed the whole country. It is further said that the President of the Council and the Government have adopted the scheme. But this is not a Government scheme. It is proposed by

a body outside the Government, and the mere fact that the President of the Council had to sign it ministerially——

MR. MUNDELLA (Sheffield, Brightside): No, no.

*MR. SYDNEY GEDGE: That does not seem to me a reason why the scheme should be adopted. This is rather like a private Member's Bill, which Her Majesty's Government regard with benevolent neutrality, but did not introduce as their own. It is the scheme of the Endowment Commissioners. Then we are told that the Royal Commission of 1877 reported against the present hospital system, and that, therefore, it is necessary to have this radical scheme. But the removal of the school could take place without the scheme. The removal of the school was brought before the Governors some years ago, and the question was lost by a majority of 14. The Royal Commission of 1877 reported that all the defects in the management complained of would disappear under an able and judicious headmaster of the school if it were removed to a spacious site in the country. But that suggestion did not carry with it all the other changes which this scheme recommends. I do not think, therefore, that there is much in that objection; because the evils, owing to the division of government out of school hours between the Headmaster and the Warden, have been cured by the action of the present body. Moreover, no general reason is shown for the scheme, and no jobbery whatever has been proved in any way. Who has ventured to say that the Governors have been guilty of jobbery in the exercise of their patronage? The School Board of London, in 1883, went into the whole question with the view of seeing who had been admitted to the school. They found that during the then last three years 515 children had been admitted, and of those 60 were the orphans of professional men and officers, 132 were the children of professional men and officers, 84 the orphans of tradesmen and clerks, 209 the children of tradesmen and clerks, and 30 were children taken from a lower rank of life. They also found that the average income was very small indeed, that only one parent had an income of £400 and under £500, and this was the case of the widow of an officer with six children. I doubt very much, therefore, whether we could improve upon such nomination under the present scheme. But the present scheme introduces a totally different mode in regard to the larger proportion of children filling up the vacancies. It proposes that the 1,200 should be reduced to 1,170, that out of this number 503 should be filled up by nomination and the remainder by competitive examination. Personally, I believe that there is scarcely any worse way of filling up vacancies in a charity of this kind than by competitive examination between young boys and girls of 13. The result too often is to bring forward children who are crammed; cramming means good coaching; and that means expense, and so, as at Eton, the children gain the scholarships whose parents least want the help. I admit that clever children should have an opportunity of rising; but I know that under the present system the Governors have taken pains to send in children who will be a credit. The Governors have appointed in many cases the children of poor parents whom they know personally, and it frequently happens that children without any knowledge of a Governor at all, but simply because they make out a strong case, have obtained presentations from perfect strangers. I have done that myself as a Governor, and I know that in this way deserving children do get admission to the school under the present system, but when admission is to be by competitive examination matters will be altered. I greatly fear the result of the present

scheme will be that there will be no new donation Governors, and that the school will sustain a loss of £5,000 or £6,000 a year from not getting their contributions. I ought here to explain to the House that the scheme is divided into two parts. At present there is a hospital for 1,200 boys and girls. The London School Board passed a resolution some time ago, by a majority of two to one, against the day school scheme, and proposed instead that the number of children in the hospital should be increased to 2,000. By this present scheme the number in the hospital is to be reduced gradually to 1,000, and two great day schools are to be set up—a boys' school and a girls' school. The day schools are to be entirely for the benefit of London, and unless children reside in London with their parents or near relatives, they are not to be admitted into either of them. Now, 179 of the appointments are to be competed for by children who attend public elementary schools in London. I should be the last man in the world to say a word against holding out the right hand of fellowship to the elementary schools; but I maintain that in the case of children living with their parents and near relatives in London, and whom it is desired to pass on to receive the benefits of the institutions, they ought to be sent to the day schools, and not at double cost to the hospital. At the present time the proportion of children from the lower ranks of life who are in the hospital is comparatively small, but it is proposed to increase that number to about one-third. We know perfectly well that these children have a very bad time of it. A number of them, who come from Berkshire, are called "the Newbury blackguards," and have a very bad time indeed. It seems to me to be by no means clear that professional men, officers, and men distinguished in science, will approve of the close relationship, in dormitories and otherwise, of their children in the proportion I have mentioned with children of the lower ranks of life, who have not unlearnt the habits of their class. That is a consideration which I am aware has great weight in the quarters referred to, and it constitutes a not unreasonable objection. We are now, for the first time, going to introduce a system both in the boarding school and in the day school of some of the children paying and others not paying, and that seems an objectionable feature in connection with a school of this kind, because it will produce invidious distinctions between the boys themselves, and tend to upset the good working of the school. It may affect the feelings of the masters; and it will affect the feelings of the boys towards each other. You will have not only an investigation as to whether the parents can afford to send their children to an ordinary school or not, but an investigation into the comparative means of the parents. The greater part of the income of the masters is to be derived from capitation fees, and it will, therefore, be to the interest of the masters to lay themselves out for the benefit of the paying children at the expense of the rest. Again, under the existing system, which has worked well for over 300 years, the benefits go equally to the whole of England and Wales, but under the new scheme the advantage of the day schools, and of, at least, 179 berths in the Hospital, will be confined to the Metropolis, which will also get its share of the other berths, and the result will be that London, which is only entitled to share equally with the whole country, will get two-thirds of the benefit of a charity which was meant for all. This may please the Metropolitan Members, but it ought not to please the Irish or the Scotch Members, or the Representatives of English constituencies generally. I am sorry I have taken up so much of the time of the House. I have tried not to try the patience of hon. Members; and I think I have shown that there is, at all events, something in my objections to the scheme, and that they are not based on the vested rights of the Governors, about which I have said nothing. I beg to move the Motion which stands in my name.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying Her Majesty to withhold Her consent from the Scheme of the Charity Commission now before the House for the administration of the foundation commonly called Christ's Hospital." — (*Mr Sydney Gedge.*)

*(12.30.) SIR R. FOWLER (London): I beg to second the Motion, and I do so because I think that by agreeing to this scheme we shall kill the goose that lays the golden egg. Governors now pay £500 on their appointment, and they enjoy the privilege of a nomination every four years. The scheme will reduce that by one every six years, and the result will be that gentlemen will think twice before paying money to become Governors. The hospital will be so much the poorer, and it is already in some difficulty owing to the depreciation of its landed property. The liberality of people is likely to be materially checked by the scheme, and on that ground I second the Motion.

*(12.32.) MR. J. W. LOWTHER (Cumberland, Penrith): I do not think the House will complain that this question has been brought before it. Of course, the endowment dealt with by the scheme is a very large one. The interests affected being so extensive, it is right that the House should consider a scheme for the alteration of the destination of the endowments before it is allowed to pass into law. At the same time, I think the House would have grievous cause of complaint if the Motion of the hon. Member for Stockport (Mr. Gedge) were agreed to. This matter has occupied the attention of the Governors of the hospital and of the Endowed Schools Commissioners for some 12 years. Numerous investigations have been made into the circumstances of Christ's Hospital, and the scheme of the Commissioners now before the House embodies the chief points which have been recommended by all the Committees and Royal Commissions that have inquired into the matter. The hon. Member for Stockport has advanced two arguments which, I think, are mutually destructive. First of all, he said that no scheme was wanted, and that it was only necessary to remove the hospital into the country; and subsequently he urged the House to reject the present scheme, in order that a thoroughly good scheme might be introduced at a future time. The scheme has been accepted substantially by the Judicial Committee of the Privy Council, after an investigation extending over five days, and since that acceptance the Governors, as a body, have not done anything in opposition to it. Therefore, the scheme comes practically before the House as an arrangement assented to by all Parties. The hon. Member for Stockport has based his opposition to the scheme chiefly on the ground that patronage has produced very admirable results in the past. In reply to that, it will be sufficient to point to the recommendations of the Schools Inquiry Commission and the Education Commissioners against the continuance of the system of patronage. The Schools Inquiry Commission reported strongly against it in these words—

> "We should wish to fill the school with scholars selected by competitive examination from all public schools of the 3rd Grade in England and Wales."

The Education Commission reported as follows:—

> "We have only to recommend that it, benefits should be bestowed, not by patronages but, as far as possible, by merit."

I think these two Reports are a sufficient answer to the hon. Member's argument. If any further answer be required I may say this: The patronage Governors, under the existing system, give £500 each to the funds of the hospital, and are entitled to nominate children in turn. An actuarial calculation was made by the Schools Inquiry Commission, and it has been found that in return for his contribution of £500 a donation Governor receives back, in the space of 12 years, nearly £1,000 worth of patronage. I believe the actual amount is £913.

*MR. SYDNEY GEDGE: How does he get it back?

*MR. J. W. LOWTHER: By the education of the children whom he nominates to the hospital. Another point the hon. Member made was that too much benefit is going to be given to London and too little to the country. If we remember the origin of the foundation, and bear in mind that part of the site upon which the hospital now stands was the original site given to the institution in the time of Edward VI., and recollect the close connection that has always existed between the Corporation of London and the management of the hospital, and the many endowments given to it by Londoners, I think it may very fairly be held that London has a large claim to share in the benefits of the institution. The Schools Inquiry Commission reported that the benefits of Christ's Hospital have never been confined to London, but that Londoners may fairly claim a share, and a very substantial share, in this splendid endowment. The Educational Commissioners in like manner reported—

"There can be little doubt that the benefit of London was the primary object of the founder, and of a long series of civic benefactors."

At present the places for London boys are limited to 49; under the scheme they will be increased to 179, and in addition there will be the day schools, accommodating 1,000 London children. I have had a calculation made, and I find that London will get the benefit of about half of the total income of the hospital. It is true that the Charity Commissioners are responsible for this scheme, but the Government are primarily responsible. As the hon. Member no doubt knows, these schemes have all to go before the Education Department. They are thoroughly sifted by the Education Department, and if the Department chooses to approve of them they become responsible for them. I think the House will hesitate long before it rejects this scheme and denies to London and to the children generally the great advantage which the scheme may fairly be said to offer.

(12.40.) MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I think the House generally will agree with my hon. Friend who so well represents the Charity Commissioners in this House, that there has been far too much delay already in respect to this scheme, and will not agree with the hon. Member for Stockport (Mr. Gedge) that further delay will be advantageous. I do not say that we on this side of the House agree with every single point in connection with the scheme, but we are obliged to recognise that this is a very large and far-reaching scheme. The hon. Member for Stockport laid great stress on the fact that nominations are to go by competition, and he said that competition would do harm, because the right class of children would not compete to enter the hospital. I think the House ought to remember that the one necessary qualification for every child entering the hospital is under the principal Act that his parents shall be in such a state of poverty that it is essential for him, in order to obtain education, to get into the hospital. Finally, I must enter one protest against the remark of the hon. Member—that this scheme will knit together the different classes in the school, and in that way be pernicious. I think that is one of the best points in the scheme. I am very glad that it recognises that this hospital is intended for the different classes of the community so long as they have the common bond of poverty, and that we shall obtain, as we have obtained in many other parts of our educational system, that which is of great value, namely, a true mixture of classes; that we shall, by means of

competition, give the opportunity to the best children to obtain this valuable education, and to rise to better things. I trust the House will accept the scheme as it stands.

*(12.45.) MR. S. HOARE (Norwich): As a member of the Governing Body of Guy's Hospital, I desire to say that the Governors, as a Body, have one great objection to this scheme. We believe that by this scheme that great hospital, in which I am sure many in the House are deeply interested, will suffer a loss of the sum of £400 a year. I am not, however, prepared to vote against this scheme. The Governors of Guy's Hospital feel that Christ's Hospital is one of the great institutions of London, and we are anxious not to do anything which may prevent the scheme being carried through. We feel that to increase the number of children who will get the benefits of that hospital to 2,200—nearly double the present number—will be such a great advantage to London that we cannot take upon ourselves the responsibility of opposing the scheme.

DR. FARQUHARSON (Aberdeen, W.): From a hygienic point of view, I must give a most uncompromising opposition to the Motion. Every school is much better carried on in the country than in a town. There is better accommodation, and the children are healthier. Of this, I cannot produce better evidence than that afforded by the Charter House, which a few years ago was moved to the country, which since has taken a fresh lease of life, and which now is one of the best, healthiest, and most progressive schools in England.

(12.50.) THE VICE PRESIDENT OF THE COMMITTEE OF THE COUNCIL ON EDUCATION (Sir W. HART DYKE): As this is the second occasion on which a discussion has taken place on this scheme in the House I shall be pardoned if I refrain from entering into the details of it. I can assure my hon. Friend that I take no objection whatever to the manner or matter of his speech, still less to his bringing forward a matter of this importance. No more difficult matter than this scheme has occupied the attention of the Lord President and myself. When this scheme came before the Department in 1888 some opposition was offered to it by the Governing Body, but its educational advantages weighed so heavily in the balance that the Lord President and myself expressed our approval of it. But the House is now in a different position. Since that time an appeal has been made to the Privy Council, and that body has given a decision in favour of the scheme. Therefore, the House has to-night only to decide on the educational advantages of the scheme as it stands, and I feel sure that the House will endorse this excellent scheme.

Question put, and negatived.

METROPOLIS MANAGEMENT AMENDMENT ACT (1862) AMENDMENT (RECOMMITTED) BILL.—(No. 357.)

Bill considered in Committee, and reported, without Amendment; read the third time, and passed.

SEA FISHERIES (IRELAND) ACT, 1883.

Copy ordered—

"Of Report by the Commissioners of Public Works (Ireland), respecting the works executed under 'The Sea Fisheries (Ireland) Act, 1883,' (46 and 47 Vic. c. 26)."—(*Mr. Jackson.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 276.]

TRUSTEES APPOINTMENT BILL [LORDS].

Bill read the first time; to be read a second time upon Monday next, and to be printed. [Bill 364.]

House adjourned at five minutes before One o'clock.

HOUSE OF COMMONS,

Wednesday, 2nd July, 1890.

MR. SPEAKER entered the House at 10 minutes after 12 o'clock, but some time elapsed before a quorum was made. At 12.35, Mr. CALDWELL (Glasgow, St. Rollox), drew attention to the fact that there were not 40 Members present. The bell was rung, and, on the House being counted, Mr. SPEAKER declared that there were 40 Members present.

ELECTRIC LIGHTING ACTS AMENDMENT (SCOTLAND) BILL.—(No. 239.)

Lords Amendment to be considered forthwith; considered, and agreed to.

EDUCATION OF BLIND AND DEAF-MUTE CHILDREN (SCOTLAND) BILL [LORDS.]

Bill read the first time; to be read a second time to-morrow, and to be printed. [Bill 365.]

FACTORS (SCOTLAND) (No. 2) BILL [LORDS]

Bill read the first time; to be read a second time to-morrow, and to be printed. [Bill 366.]

ARMY (MEDICAL DEPARTMENT.)

Address for—

"Return of Memorials and Communications received from the principal Medical Licensing Corporations of Great Britain and Ireland, urging the Government to adopt the recommendations of Lord Camperdown's Committee on the Army Medical Department."—(*Dr. Farquharson.*)

ORDERS OF THE DAY.

DIRECTORS' LIABILITY BILL.—(No. 300.)

THIRD READING.

Order for Third Reading read.

*(12.40.) MR. WARMINGTON (Monmouth, W.): In moving the Third Reading of this Bill, I am sorry to find that there is evidently a desire on the part of some hon. Members that the Bill should not pass. It has already been discussed upstairs, and on three consecutive Wednesdays the Report has been considered in this House. The principle of the measure has been affirmed time after time, and its various provisions have been thoroughly discussed. I am therefore afraid that there must be in the minds of those of my hon. Friends who propose to re-commit the Bill some little misunderstanding. The hon. Member for West Belfast (Mr. Sexton) and the hon. Member for North Longford (Mr. T. M. Healy) propose that it should be re-committed in respect of Clause 4. It is a mistake to suppose that there is any desire on the part of those who are in favour of the Bill to delay its operation for a single hour. The date of the 1st of October this year was inserted as a convenient date, representing the time at which it was thought probable the Bill would pass. At the same time, there is every wish that the measure should come into operation as soon as it has received the Royal Assent, and with that desire I will undertake that a representation to that effect shall be made in another place, in order to secure the insertion of a provision to that effect. Another Amendment stands on the Paper for the re-committal of the Bill in respect of a new clause, in the name of the hon. Member for East Donegal (Mr. A. O'Connor). If this were the Committee stage of the Bill I should be glad to accept the view expressed in the hon. Member's clause; but if I were to accept any Motion for the re-committal of the Bill to-day, I am afraid the effect would be to destroy the measure altogether. For that reason I feel myself compelled to oppose any Motion for the re-committal of the Bill. There is also a Motion in the name of my hon. and learned Friend the Member for North Camberwell (Mr. J. Kelly); but its acceptance would involve not only a new Bill, but a new Bill which would take an entire Session and the whole force of the Government adequately to discuss and pass into law. The other Motions on the Paper are decidedly hostile to the measure, and I trust that they will not be pressed, or, at any rate, that they will not receive the assent of the House. I have no wish now to discuss the merits of the Bill. Its provisions have been so often explained that it is not necessary to say a word more about them. All I can do, in moving the Third Reading, is to offer my acknowledgments to hon. Members on

both sides of the House, and especially to the President of the Board of Trade, for the assistance they have given me in the discussion of the clauses of the Bill.

Motion made, and Question proposed, "That the Bill be now read a third time."—(*Mr. Warmington.*)

(12.45.) MR. SEXTON (Belfast, W.): The statement which has just been made by the hon. Member in charge of the Bill leaves me in no doubt as to the course which I ought to pursue. My Amendment to re-commit the Bill in respect of Clause 4 is in no way hostile to the Bill, which I am anxious to see passed, as a means of preventing the most disgraceful and destructive kinds of fraud now known to society. The Bill is, in reality, directed against men whom I regard as the highway robbers of the 19th century—men who are more cunning and more cruel than those who took to the road a century ago. I gather from the hon. Member's remarks that some of the Amendments on the Paper are hostile to the Bill, and that, in regard to the rest, if the Bill were re-committed it would have to be postponed for another year. Now, I think that such a measure is urgently required. In the course of the last five years not less than an average sum of £20,000,000 a year has been applied to the promotion of companies which have brought nothing but ruin to ordinary investors who have embarked their money in them, and nothing but gain to a certain class of schemers. Therefore, I cannot on the present occasion incur the responsibility of assisting the designs of hon. Members who hope to defeat the Bill. I take note of the declaration of the hon. and learned Member in charge of the Bill that he will use his best exertions to get Clause 4 omitted, and I will not, therefore, move my Amendment.

*(12.47.) SIR ROPER LETHBRIDGE (Kensington, N.): The hon. and learned Gentleman in charge of the Bill has classified the notices of Motion on the Paper for the re-committal of the Bill, and I am sorry to observe that he regards the Motion which I have put down as altogether hostile to the Bill. Its only hostility to the Bill is that it endeavours to point out that the measure is incomplete, and would be nugatory in its operation as it now stands. Another notice of Motion exactly similar to mine has been put down by the hon. and learned Member for East Donegal, and in regard to that Motion the hon. and learned Member in charge of the Bill says he does not regard it as hostile to the measure. Now, the only difference between the two Motions is that one is moved from this side of the House and the other from the Benches opposite. Both equally endeavour to enlarge the scope of the Bill; both aim at amending the law on points in which the law is not clear. I challenge the hon. and learned Gentleman to deny that upon the points dealt with by those two Motions the law is not notoriously uncertain, and requires amendment. I am, therefore, compelled to express my sincere regret that the hon. and learned Gentleman should have classified my Motion in a different category from that in which he includes the Motion of the hon. and learned Member for East Donegal. The clause proposed by the hon. and learned Member provides that a waiver, or affected waiver, of the provisions of Section 38 of the Company's Act of 1867 shall be absolutely void. My clauses define that the word "director" shall include promoters, vendors, and all who are to derive pecuniary benefit from the floating of a company; and that where a Director shall have received payment in cash or shares to induce him to allow his name to appear on a prospectus, or where he shall not have *bonâ fide* paid for the shares which constitute his qualification, the fact shall be regarded as *primâ facie* evidence of fraud. The House is asked to settle whether a Director shall be allowed to accept remuneration for joining a company, and promoters, vendors, or founders are added to the Directors and made equally liable for any error or misstatement contained in a company's prospectus. I maintain that the tendency of such Amendments is not in itself hostile to the Bill, but is calculated to make the measure more perfect and complete upon points which it is admitted notoriously require amendment. Looking at the form in which my notice of Motion has been placed upon the Paper, I am not quite sure whether, at this stage, I should be in order if I were to venture

to recommend to the House the particular clauses in regard to which I wish to move the re-committal of the Bill. If, however, I am wrong in proceeding to speak upon those clauses, I presume that you, Mr. Speaker, will stop me, and, of course, I shall at once submit to your ruling. The first new clause which I propose to add to the Bill, if the House consents to the re-committal of the measure, is in the following terms :—

"Provided that the word 'director,' wherever it occurs in this Act, shall include the promoter or promoters, vendor or vendors, and all who are to derive pecuniary benefit from the floating of the Company, whether their names appear on the prospectus or not."

It is notorious, and a point which cannot be controverted, that where bogus companies are started, where fraudulent misstatements have appeared in the prospectus, and where the object of floating the company is to put money into the pockets of persons who ought not to receive it—that in most of such cases the persons who fraudulently receive the money are not the Directors, who have themselves been misled — sometimes honestly misled, and sometimes, possibly, I am afraid, dishonestly misled. At any rate, Directors are the persons who are put in the forefront of the battle, though they may have been misled by the fraudulent misrepresentations of persons who notoriously are not touched by this Bill in the slightest degree. The Bill will undoubtedly, in some respects, if it be amended as I should like to see it amended, make Directors more careful as to the statements they accept from promoters. In that object, I, for one, and my hon. Friends who act with me, heartily co-operate. It has been, undoubtedly, the case that occasionally Directors of position and reputation have foolishly allowed their names to be associated with enterprises into the details of which they have not exercised sufficient examination and to which they have not devoted sufficient care. I think that the hon. and learned Gentleman is right in directing the attention of such Directors to the responsibility they incur by allowing their names to go forth in the front of the battle, and pledging their reputation to statements which are sometimes not substantiated when due inquiry is made. But what I do maintain is that such cases are absolutely unusual and exceptional cases. I maintain that in 9 cases out of 10 of the successful floating of bogus companies by means of the names of responsible and respectable gentlemen attached to the prospectus, the Directors have been misled by the cunning arts and devices of those who gain pecuniarily by the floating of such companies; and those Directors, I contend, are not, and should not, be held to be morally responsible for the harm which has been done. The object of the clause which I propose to add to the Bill is in all cases to attack the persons who are really morally responsible. The object of legislation should be to get at the real delinquents, and I venture to think that that object would be attained, as far as it is possible for legislation to overcome the cunning of fraudulent persons by the clause which I propose, and which I hope the House will consent to add to the Bill. I will now, if I am in order, pass on to the 2nd clause, which I propose to submit, and which is as follows :—

"Provided that where any Director shall have received any payment, whether in cash, or in shares, or otherwise, to induce him to allow his name to appear on a prospectus, or where he shall not have *bonâ fide* paid for the shares which constitute his qualification, the fact shall be regarded as *primâ facie* evidence of fraud."

I think I am right in saying that this Bill has been largely called for by the litigation which occurred in the well-known case of "Peek *v.* Derry." The point in that case, and it is one which was dealt with in various Courts, was whether, through the influence of a promoter, vendor, founder, or anyone else, a Director should accept remuneration in cash or shares, or in any other shape, for lending his name to a company. I believe that in that case there was hardly a doubt as to the *bona fides* of Mr. Derry and the other Directors. It was not disputed that they had acted in good faith, and one of the points which came up was whether the prospectus did not contain misleading statements. The one point which undoubtedly influenced the Judges who had to decide the case, and the public also—a point which rightly told heavily against the Directors, although they appear to have acted in good faith—was the fact that, in ignorance of the law, or rather because of the uncertainty of the law, they had accepted shares from the promoters in

consideration of their names appearing on the prospectus. That clearly pointed to the possibility of these gentlemen having looked with a kindly eye upon statements in the prospectus which were of a doubtful character, and which, if the Directors had been perfectly independent, they might possibly have criticised much more severely. Now, I maintain that the general result of the litigation in that famous case made it evident that it was advisable in the future interests of Limited Liability Companies, carrying on the commercial pursuits of the country, that the law upon such matters should be perfectly clear, and open, and distinctly laid down by the Legislature. I have no wish to press the matter more than it is pressed by the hon. and learned Member for East Donegal, but I do think it is one which it is absolutely necessary the Legislature should decide These clauses cannot be regarded as in any way hostile to the scope of this Bill by those who are anxious that the measure should not really harm and cripple the great cause of limited liability. The importance of this matter to the future commerce of the country has been well pointed out in an article I have read this morning, which contained most powerful arguments—an article in the *Financial News*. [*Laughter.*] The hon. Member for Stepney (Mr. Isaacson), and some other hon. Gentlemen, laugh at the mention of the *Financial News*. It is not for me to go into the merits of the *Financial News* as a paper; but this I will say: that having for some time past read that paper pretty freely it seems to me that there are few, if any, hon. Members in the House of Commons who can justly lay claim to have done so much in the way of exposing fraudulent and bogus companies as the *Financial News* has done, and has proved its right to do, by proceedings in the Law Courts. I, therefore, fail to see why the hon. Member for Stepney should laugh derisively at the mention of this article. I would invite the hon. Member, instead of deriding articles that appear in the public Press, to read them with a dispassionate mind. As I read the article in the *Financial News* this morning, it seemed to me to prove conclusively that if this Bill were allowed to remain in its present state it would do incalculable harm to the future of limited liability. The hon. Member for West Belfast (Mr. Sexton) has talked about the amount of money that has been lost on bogus companies, but this article ought to cause him to look upon the other side of the ledger. It would show him that the actual enrichment of this country by Limited Liability Companies during a few years past has amounted to vast sums of money, in comparison with which any sums that can be mentioned as having been lost are absolutely infinitesimal. It is proved by the article how Limited Liability Companies have given employment to large numbers of the working classes throughout the country, which they could never have hoped for, and never have dreamt of, if limited liability had been crippled in the way in which this Bill will undoubtedly cripple it if Amendments are not made in its provisions. I would ask Gentlemen who support this Bill to consider what would have happened to the commerce of this country if the £3,000,000,000 which is the nominal amount of the capital registered at Somerset House during the past few years had gone to find its outlet in France or Germany, and if French or German capital had been employed, for instance, in the exploitation of India and of the colonies and of South America, and of other parts of the world to which English capital, under the system of limited liability, has gone. The working classes of this country would have felt the pinch to a degree which I am sure hon. Gentlemen opposite would have sympathised with, and which would have been most detrimental to every class in this country. The House ought to think also what limited liability represents in the shape of valuable investments for the small savings of shopkeepers and clerks and others in a comparatively humble sphere of life. I admit that the gains of individual enterprises, such as those of the hon. Member for Stepney, are sometimes cut down by the free competition of Limited Liability Companies; but I maintain that the compensating advantages of limited liability are so great that it would be most deplorable if any check from any source whatever were placed upon its future development. In the hope that the clauses of which I have given notice may contribute to make this Bill a full, complete, and good measure; in the

hope that the Bill, when passed, may turn out to be a real advantage in stopping fraudulent operations, and at the same time not to interfere with proper and legitimate commercial enterprise, I beg to move that the Bill be re-committed.

Amendment proposed, to leave out the words "now read the third time," in order to add the words "be re-committed in respect of certain New Clauses,"—(*Sir Roper Lethbridge,*)—instead thereof.

Question proposed, "That the words 'now read the third time' stand part of the Question."

*(1.6.) MR. G. OSBORNE MORGAN (Denbighshire, E.): It is very difficult to reconcile the hon. Member's speech with his Motion. In his speech he inveighed against the stringency of the Bill, and yet he proposes to make it more stringent.

*SIR R. LETHBRIDGE: Not the stringency; the incompleteness of the Bill.

*MR. G. OSBORNE MORGAN: I think the hon. Member's friends of the *Financial News* will hardly thank him for that. He says he looks on the Bill with a kindly eye. I can only say that no basilisk could ever have looked at the Bill with a more damaging eye than the hon. Member, because the effect of the Motion which he proposes would be to kill the Bill altogether. It is perfectly clear that if re-committed the Bill could not pass this Session. The new clause which the hon. Member proposes is so loose and vague that it comes to nothing. It would include the solicitor, with his bill of costs, the printer, the printer's boy, the messenger who takes it round, and in fact every person who is paid a farthing for any work connected with the prospectus of a company. I am extremely thankful to the hon. Member for West Belfast for withdrawing his Amendment; and I believe I am right in saying that my hon. Friend the Member for East Donegal (Mr. A. O'Connor), who presided with such distinguished ability over the consideration of this Bill when before the Grand Committee, will not move his Amendment. We have spent several Wednesdays over this Bill, which has been thoroughly threshed out in the Committee upstairs, and the House should therefore proceed at once to the Third Reading.

*(1.9.) SIR R. FOWLER (London): It seems to me that this is a Bill to smash limited liability. I cannot help contrasting the attitude of the House to-day with its attitude 30 years ago upon the question of limited liability. I remember 30 years ago a distinguished friend of mine, the late Mr. Cubitt, then Lord Mayor, losing his election for the City of London because he was supposed to have voted against the Limited Liability Bill. That shows the very strong feeling there then was on the question of limited liability in the City, and I believe throughout the commercial community. Now, public opinion seems to have taken an entirely different course. What some years ago was a most popular craze appears now to be an equally unpopular craze. Some men who, no doubt, deserve very properly to be punished have taken advantage of the limited liability law, and have cheated the public to a very large extent. The result has been to raise a great cry in the House of Commons, and to cause the hon. Member for Monmouth (Mr. Warmington) to bring forward this Bill. The House by this legislation is going directly contrary to the view that Parliament took 30 years ago. I do not wonder that the Bill is favoured by the legal profession, as it must throw an immense amount of money into the hands of legal gentlemen, both inside and outside the House, and provide them with a lucrative business for years to come. It will raise legal questions, which can only be settled by the highest tribunal in the land. I do not, however, very much care about the Bill, except in so far as it affects the community to which I belong. As I understand the Bill, there are words in it referring to "other persons," and this is supposed to include bankers. I understand the Attorney General said that bankers would not be included; but there are other high legal authorities who are of opinion that bankers will be included. If so, and if the Bill had been in force when the failure of Overend and Gurney took place their bankers, Burday and Co., would have been liable equally with Overend and Gurney. I am afraid that this question

of the liability or non-liability of bankers will lead to litigation, which will only be settled after an appeal to the House of Lords. That is why I look with great apprehension upon the Bill. As regards the part of it which refers to Directors, I think the effect will be of a very doubtful character. Every wise man, after this Bill passes, will abstain from being a Director of a company. Men of position will decline to go upon the Boards of companies, and their places will be taken by gentlemen who will not mind leaving the country when they get into trouble. Whereas, hitherto, respectable men, and men of very high position, have gone on companies, hereafter the position of Director will be left to men of an inferior class—men who may, perhaps, have handles to their names—and who may even be Members of the House of Commons, but who, if the worst comes to the worst, will be prepared to go abroad. The House is, evidently, very much in love with the Bill. I can only hope that the result of passing it will be more favourable than I anticipate.

(1.17.) MR. A. O'CONNOR (Donegal, E.): The object of the Bill is to give a right of action to any person who has sustained damage by reason of an inaccurate or misleading statement in a prospectus or notice.

*MR. KIMBER (Wandsworth): I rise to order. I wish to know whether, on a Motion for the re-committal of the Bill to insert new specific clauses, we can discuss its general principles?

*MR. SPEAKER: There is a good deal of principle involved in the new clause, and it is very difficult to separate the principle contained in the clause from the principle in the Bill. Undoubtedly, after the question of re-committal is settled, the Third Reading will come up, and that will be the time to go into the general merits of the Bill.

(1.19.) MR. A. O'CONNOR: On this question of the Bill being re-committed, I wish to recall to the mind of the House the fact that the object of the Bill is merely to give a right of action to men who have been wronged, and possibly plundered, by means of a misleading or inaccurate prospectus, against those who are, or ought to be, responsible for that prospectus. The right hon. Gentleman who has just sat down said that this is a Bill to smash limited liability industries. It appears to me, on the other hand, that the Bill is one to which every honest man may be expected to give assent. By Section 38 of the Companies' Act of 1867 it is provided that every prospectus of a company, and every notice inviting persons to subscribe for shares, shall specify the date and the name of the parties to any contract which has been entered into by the company, or promoters, or Directors, or Trustees, before the issue of such prospectus, whether it is subject to adoption by the company or otherwise, and any prospectus or notice not specifying the same shall be deemed fraudulent on the part of such promoters or officers of the company issuing the same, unless any person taking shares shall have had notice of the contract. However, having regard to the extremely wide terms of the Act of 1867, it has been found practically impossible to enforce it in all cases, and that is the reason why what is known as the "waiver" clause came to be adopted. The "waiver" clause, which is reasonable, and inevitable in certain cases, has yet been used by those whose business it is to seek loopholes of escape in the Liability Company Law for the purpose of committing the grossest possible frauds. Suppose an unfortunate shareholder has sent an application for shares, subject to the conditions shown in the prospectus, if there is one provision which waives Section 38 of the Companies Act of 1867, when the shareholder has parted with his money, and it has been divided among a lot of plunderers, he will find he has signed away his right to recover. It is for this reason that in a Bill like this it would have been of practical utility if a clause had been included shutting the door to fraud, and I should have liked the Bill to have gone further in this regard. I feel that to proceed with any Motion to re-commit the Bill would have the very serious and deplorable result of gravely imperilling the Bill. I should be sorry to incur that responsibility, and, therefore, I shall not support the Motion for re-committal.

(1.26.) SIR W. HARCOURT (Derby): I think the course which has been adopted by the hon. Member (Mr. A. O'Connor) is one which will be taken by every Member who desires the success of the Bill. I should be very glad

to see the Bill come into operation at once, but we have to consider whether we will carry this Bill or lose it, and I hope nobody who is friendly to the Bill will persist in Motions that will have the effect of delaying it, or imperilling its chances of passing into law. I am not quite sure whether the hon. Member opposite (Sir R. Lethbridge) proposed the Motion he has upon the Paper with a view to securing the success of the Bill——

*SIR R. LETHBRIDGE: The completeness of the Bill.

SIR W. HARCOURT: Yes; the completeness of the defeat of the Bill. It is always advisable to use words that will represent the true meaning of a proposal of this kind. People with any Parliamentary experience can read between the lines of Motions of this character, and I should say that the wiser course would be for those who desire the success of the Bill to support its Third Reading pure and simple, and reject all these Amendments. The hon. Member for Longford (Mr. T. Healy) and another hon. Friend of mine, who have had Amendments on the Paper on this subject, do not, I believe, intend to press them, for fear of losing the Bill altogether. I hope all the friends of the Bill will pursue a similar course, so that we may have a straight issue on the Third Reading, and give a final stroke to that which, I think, is a very necessary and useful piece of legislation.

*(1.30.) MR. J. R. KELLY (Camberwell, N.): I am sincerely hopeful to see this Bill pass. I take a warm interest in the Bill, but when it was read a second time it commended itself far more to my judgment than as it now stands. Then it gave a certain right to bring actions, with a certainty of winning them in the case of fraud, for it included the "warranty" basis. I am surprised to hear the hon. Member for Denbighshire (Mr. Osborne Morgan) talk of the Bill having been thoroughly threshed out before the Standing Committee. I had not the good fortune to be a member of that Committee, though I tried to be placed on it. I look upon the Bill as one of the most important introduced by any private Member for years. There can be no doubt that the Bill was not properly threshed out by the Standing Committee, for three hours only in all were given to it there, and the original Bill was, in fact, never discussed. I believe if it had been properly discussed it would have been shown that the Bill is far from touching the great majority of frauds at present practised on the public. The hon. Member for the City of London (Sir R. N. Fowler) said the Bill was peculiar, as it has obtained the favour of all the lawyers in the House, and that that was a good reason why the House should look on it with grave suspicion. It is said that the Attorney General rejected the warranty; but the Attorney General in this matter did not act for the lawyers of the House, but as the mouthpiece of the Government. I am sorry the hon. Member in charge of the Bill cannot give us an assurance that he will endeavour to make the Bill operative from the present time. I wish to say one word with regard to the argument used by the hon. Member for North Kensington (Sir R. Lethbridge). He has quoted a paper which no doubt is exceedingly influential, and which, of course, never on any occasion has been directly or indirectly connected with any black-mailing. I would only say that that paper has a statement to-day which is intended to show that, so far from people having been plundered by companies at all, the result is that they have had their fortunes increased by them by something like 30 per cent. A friend of mine recently made some close calculations on the subject, and they showed, instead of a profit of 30 per cent., a loss of 25 per cent. to the investors. I believe that, inasmuch as he made a most careful investigation, his figures were alone trustworthy. I must say one word by way of warning. If hon. Members suppose that this Bill will put an end to company frauds they will be grievously disappointed. It is not by words in the prospectus that the principal frauds are perpetrated; it is by the system of underwriting and rigging the market. I was told the other day that there is no man in the City who knows his business who would not by far prefer a notice in the paper that letters of allotment and regret had been posted, followed by a notice that the shares had gone to a premium of 10 per cent., to the most cleverly drawn prospectus, bearing the best possible names. The fraud is not in the prospectus, but it is perpetrated afterwards, and by means,

to no small extent, of the columns of the very pure financial papers. But I cannot be a party to jeopardising the interests of the Bill, and, under these circumstances, whilst acknowledging that it is so weak and poor that it may do little good, I feel bound to take the one course open to me, which, at any rate, will relieve me of any responsibility as to being associated with those men who have the slightest sympathy with the Directors and promoters of fraudulent companies; and it is because I wish most clearly and emphatically to state that I will not be associated with them in any manner that I feel it my duty to withdraw the clauses of which I have given notice.

Question put, and agreed to.

Main Question again proposed, "That the Bill be now read the third time."

*(1.45.) Mr. J. M. MACLEAN (Oldham): We have now reached a stage when the principle of the Bill can be discussed. The hon. and learned Gentleman in charge of the Bill has rebuked us for the way the discussion has been carried on. He says the Bill has been discussed in Committee on three successive Wednesdays. The cause of that is that until now we have had no opportunity of discussing the principle of the Bill. It was read a second time at a late hour, when there were probably only a few Members present, and at once referred to a Grand Committee. I may point out, in regard to that, that the House is in utter ignorance of what was done in that Grand Committee; there is no record kept of the proceedings, of the Amendments moved, or the discussions on those Amendments. Various definitions have been given of the object of the Bill. I am not prepared to say that the time has not come when the whole condition of the law of Limited Liability should be reviewed by this House, but it is a matter that should be taken up by the Government of the day in a comprehensive spirit. We want to see that law consolidated and improved, and the whole subject considered in a fair spirit, so as to put Joint Stock enterprise on a sounder and better footing than it has been on before. I should have been delighted if the President of the Board of Trade had taken it in hand this Session, but he is apparently satisfied with doing nothing more than extend a benignant and patronising sympathy to this Bill. The hon. Member in charge of the Bill wants to prevent frauds being perpetrated by Directors upon shareholders, and he considers that the present law is not strong enough to protect shareholders. I should say that the Bill is one to enable shareholders to speculate without risk to themselves. The hon. Member for West Donegal told us what a scandalous thing it is that people should be asked to subscribe to certain undertakings, and then be asked to waive their right to examine the contracts of the company. But when a shareholder waives that right he knows perfectly well what he is doing. What is the practice in these matters as a rule? When a good thing is started, anybody who has any influence with any of the Directors almost goes down on his knees to get a large number of shares allotted to him, then if things do not turn out quite as they are expected to do, of course, there are some shareholders who are ready to get up and say that they have been thoroughly misled. But, as a rule, shareholders are perfectly fair towards Directors; they recognise that there must be some risk, and are prepared to stand their share in the loss. There is a great misunderstanding abroad as to the real relation between Directors and shareholders. The Director is supposed to be a Trustee, who has charge of all the money subscribed by many shareholders, and the promoters of this Bill, and those who wish for more stringent measures, come down and say that as Trustee he must be punished for any error in the management of those funds. The real position of a Director is not so much that of a Trustee as of a managing partner; the shareholders are associated with him in the enterprise, and they must bear their share of responsibility. Under the present state of the law, one of the highest authorities has said that no Director has been held responsible for an innocent mistake, unless it has been accompanied by a fraudulent intention. But the hon. and learned Gentleman proposes to change all that, and to say that for any perfectly innocent mistake, for any slight oversight or slip, in the prospectus, where there is no moral guilt to be brought home to the Director, the whole law shall be changed,

and he and his whole fortune shall be held liable for any mistake that he and his co-Directors may have made. If there is to be a change in the law in matters of this kind, why not apply a similar change in the law to other professions? Let us take, for example, the profession of the law. Let us suppose, for instance, that a distinguished counsel —to use the language applied to Directors—a legal guinea pig, through a slight mistake, although hs has pocketed his fees, has damaged or lost the case of his client, through, perhaps, being overworked on the part of other clients, what an uproar there would be among the Bar of the United Kingdom if it were sought to make him answerable to the extent of his fortune for the damage sustained by his client. That is a parallel case to what we propose to do in the case of Directors. The Member for West Donegal spoke of the Bill as using the language that any person being responsible for "inaccurate and misleading" statements was liable, but that is not the fact. The Committee, thinking the word too strong, substituted the word "untrue" for "inaccurate," so that the clause now reads—any untrue or misleading statement. If we could have the word "misleading" qualified by the phrase—deliberately or fraudulently made, then we would not object to the clause, but there is no definition of what is meant by misleading. A great philosopher, Coleridge, has said that before beginning a controversy we ought to make sure of our definitions, and having got these right you will go on safely afterwards. But here, in this House of Commons, we pass Bills without giving any clear definition of the terms used in them, and leave it to the House of Lords to interpret the language of our enactments. I could understand a Director being made liable if he makes intentionally an untrue statement, but the House of Commons is in this plight—it holds a Director liable for a statement which is misleading in fact and not in intention, that is to say, for an incorrect or inaccurate statement, although it has already refused to adopt the word "inaccurate," in reference to the statements contained in a prospectus. Then the Bill places the onus of proof on the Director that he acted in good faith. The Director will have to convince the Judge and the Jury of the fact that he believed the statement in a prospectus was accurate at the time that he was a party to its being issued. There was a very important letter in the *Times* newspaper recently, which describes the result of the changes in the law which the hon. and learned Gentleman desires to make. The letter, signed by Mr. S. J. Wilde, a distinguished Parliamentary draftsman, is to this effect:—

"On reading the other day the Report of the Committee I have come to the conclusion that, if the Bill be passed, no prudent or responsible person can ever again safely join in issuing any prospectus, and the mischief lies in the word 'reasonable,' for who is to determine beforehand what a Court may deem 'reasonable'? In my own case of 'Peek *v.* Derry,' Mr. Justice Stirling, after carefully cross-examining all the defendants, was of opinion that we had reasonable cause for our belief that the statement in our prospectus was true. In the case of 'De Smissen *v.* Derry,' on the same prospectus, Mr. Justice Mathew summed up very strongly in our favour, and the Jury concurred. On a new trial being granted in consequence of the decision of the Court of Appeal, Mr. Justice Hawkins, who also cross-examined all the defendants, not only said that we had reasonable ground for our belief, but, further, that, in his opinion, the statement as to power to use steam was true in fact. Yet the three Judges in the Court of Appeal decided in strong language that we had no reasonable ground for our belief."

That just shows what a conflict of opinion may arise in Court if words of this kind are put into an Act, and I am sure, as Mr. Wilde says, that no person who has any large amount of money to lose will run the risk hereafter, if this Bill passes, of allowing his name to appear on a prospectus. That is a great fault I find with the Bill. So far as the object of the hon. and learned Member is concerned the Bill is childish and futile, but, on the other hand, it will do an immense amount of mischief in a direction I am sure its promoters do not wish it should. I have heard it said over and over again by hon. Gentlemen in these discussions that the men they want to get at are the "guinea-pigs," the men who, Members of the House of Lords, or Commons, or others, give their names as Directors, in order to attract money from the public, do nothing, receive their fees, and have nothing to lose whatever may happen. Well, I think these wonderful gentlemen who are Directors of companies and receive fees, doing no work at all, are mere creations of hon. Gentlemen's imaginations. I

think any Director who does not do his share of work will soon be turned out of office by his fellow Directors; and I think that any Member of Parliament who associates himself with shady or bogus companies is likely soon to be sent to the rightabout by his constituents, and to lose, what Members value far more highly than any number of Directorships, a seat in this House. If that is the case, I think hon. Gentlemen may, with easy consciences, mind their own business, and leave the Directors to be dealt with by the constituents who send them here. However, the Bill of the hon. and learned Gentleman will not, so far as I can see, have the slightest effect in preventing reckless persons from hereafter accepting seats on Boards of direction of new companies. What does it matter to a man who has nothing to lose that he is liable to the extent of the whole of his fortune for what may happen? *Cantabit vacuus.* He will simply turn his pockets inside out, and laugh at a Legislature that passed such an idle, useless Bill. On the other hand, it has been pointed out by several men of business, who, for the first time have been able to take part in the discussion upon this Bill, for hitherto discussion has been confined to lawyers and men of sentiment—it has been pointed out by men of business to-day, who have taken part in the discussion, that nobody who has means and substance of his own will hereafter allow his name to appear on the prospectus of a Joint Stock Company. Well, there may be hon. Members who may say that this is a very good thing. There has been shown an amount of hostility to joint stock enterprise that has perfectly amazed me. We know the motives that induce attacks upon Directors, envy, malice, and disappointed greed, but attacks on the principle and working of limited liability spring from a much more serious source, from utter ignorance of the present conditions of society, and of the very important material and social changes worked by industrial enterprises under the principle of limited liability. I do not propose to quote statistics from the *Financial News*, to which my hon. Friend the Member for North Kensington (Sir Roper Lethbridge) has referred, but I could not understand the jeers at the fact that that newspaper has given some interesting figures to show the great value of the majority of the properties now quoted on the list of the Stock Exchange. That paper gave a list of 222 different companies, under a variety of heads, brewing, shipping, tramway, telegraph, financial trusts, a great variety of industrial and commercial undertakings, and these 222 companies represented an amount of subscribed capital of £113,000,000, and the market price to-day is £170,000,000 in round figures, showing an appreciation of nearly £57,000,000, or 50 per cent. as nearly as possible. When you get a Return of that sort on the survey of a very wide field and a large number of companies, you may fairly come to the conclusion that the principle of limited liability is working beneficially for the nation at large. But I will quote an authority who cannot be open to any of the suspicions which hon. Members feel in regard to the *Financial News*. I was looking the other day at an essay by Mr. Robert Giffen, and there will be no question, I think, that he is a high and an impartial authority. It is very difficult to give the figures as to the real amount invested in all the Limited Liability Companies existing, but Mr. Giffen attempts to get at it in this way. He takes the Income Tax Returns on the profits of companies at different periods, and then he estimates the capital by taking so many years' purchase of profits, as shown in the Income Tax Returns. He gets in this way a sum of £350,000,000 sterling invested in Joint Stock Companies in 1875, and he finds in 1885, the last year given in the essay, that the amount had nearly doubled, being £695,000,000—or say £700,000,000 sterling—all paying large profits, all assessed for Income Tax. Well, we all know that an immense stimulus has been given to Joint Stock enterprise in the few years since 1885, and I do not think it would be an unfair estimate to say that there must now be profitably invested in such undertakings money to the amount of £1,000,000,000 sterling. This is an enormous amount of capital to be brought together and invested in industrial and commercial enterprise, and I think it would be generally admitted by the public—for I do not agree with the hon. Baronet the Member for the City

of London (Sir R. Fowler) that there is any strong feeling in favour of this Bill outside the House, but, on the contrary, business men are alarmed and indignant at what is contemplated by the House of Commons—I think it will be admitted, and the feeling is shown everywhere by the way in which people rush to take up shares in the companies, that the action of limited liability has worked a great social revolution for the benefit mainly of the working classes. In relation to the working of the law of limited liability, I may mention that the Royal Commission on the Depression of Trade, in 1886, took evidence as to the effect of the system upon trade, and the only recommendations made were—that the *bona fides* of promoters should be as far as possible ensured, and that the fee for registration should be increased. These are practically the only recommendations, and we want to provide for the *bona fides* of promoters, but not to make them liable for unfortunate mistakes. As to the increase of the registration fee, the Chancellor of the Exchequer has taken up that suggestion very eagerly indeed, as was only natural, and I may point out that we owe a very large proportion of the increased revenue from stamps to the heavy taxation we have imposed on limited companies. It is a very great burden, in some respects a very unfair burden, to put on Limited Liability Companies; for, bear in mind, companies are formed to compete with great private employers of labour, and it is not fair that they should be taxed more heavily than their rivals. As a matter of fact, a great deal is now done by the authority of the Chancellor of the Exchequer to restrain the free employment of capital in these industrial enterprises. That is a mistaken policy, because in this same Report of the Royal Commission on the Depression of Trade this remarkable statement occurs:—

> "There is no feature in the situation which we have been called upon to examine so satisfactory as the immense improvement which has taken place in the condition of the working classes during the last 20 years. While wages have risen, profits have fallen."

I contend that this principle of limited liability has been of the very greatest value, has been one of the principal agents in bringing about this important result—a more general distribution of wealth among all classes engaged in developing the industrial resources of the country. In the old days, before limited liability, private employers concealed from the world the profits they were making. Working men knew nothing about this; employers might be making 100 per cent. profit, wages being kept down to a minimum all the time. Now, under the law of limited liability, requiring the publication of accounts from time to time, and with the periodical declaration of dividends, working men have every opportunity of knowing exactly what profits are made in the particular industry upon which they are employed, and directly they see that Capital is obtaining a larger rate of interest than they think it is entitled to, they at once come forward and demand a rise in wages, in order that they may have their share in the increased profits. I can speak from experience in my own constituency, where the law of limited liability has been applied with freedom, boldness, and success, making the town of Oldham one of the most prosperous in the country. The working classes have felt the greatest benefit from the system, and would resist any attempt on the part of this House to fetter the working of the law of limited liability. I feel obliged to the House for having listened to me so long. It is a subject in which I have felt the greatest interest for many years. So far as the Bill is concerned, I do not think it very much matters whether it passes or not, so far as Directors are concerned; but it will do, I believe, a very great deal of injury to the very important development that has taken place in our industry and commerce. It will make it almost impossible, I will not say for legitimate trade, but for that legitimate speculation which accompanies and gives fresh impulse to commercial prosperity, to be carried on. It is on that ground I move the rejection of the Bill, in the belief that it will restrain the fair freedom of speculation in the country, and that it will have a tendency to take the control of important joint stock enterprises out of the hands of substantial, honourable men, and throw it into the hands of needy, unscrupulous adventurers. I move, therefore, that the Bill be read a third time this day six months.

*(2.15.) MR. SPEAKER: The hon. Gentleman cannot now move that; he can vote against the Motion for Third Reading.

(2.31.) MR. W. MORRISON (York, W.R., Skipton): The Bill is, no doubt, based on good intentions, but these do not form a sound basis for legislation. I have observed that the hon. Members who advocate the passing of the Bill labour under a misapprehension of its scope. They seem to think it will only apply to companies registered after the passing of the Act, but, as a fact, it will also apply to all prospectuses and notices inviting the subscription of new capital issued by existing companies; indeed, there is no provision restricting its operation, and whether a company be prosperous or insolvent, however old established it may be, and however high may be the character of the Boards of Directors, it will come within the provisions of this Bill. Then, again, hon. Members advocate the Bill because they think it will suppress or materially reduce the class of Directors called "guinea pigs." I call a "guinea pig" a man who joins a Board of Directors for the sake of the fees, and has no substantial interest in the company. But the Bill will have little terror for the pure "guinea pig." He may have had his qualification found him by the promoters, or he may have found it himself, but he must be a gainer if the fees he receives amount to more than he invested in the company, while, if an action is brought against him in respect of his action as a Director, it does not matter to him for what sum judgment goes against him, because he cannot pay the amount, and the responsibility will be thrown on the Members of the Board who are not "guinea pigs." For my own part, I define the Bill as one for the encouragement of "guinea pigs." It is not necessary to argue as to the great advantages conferred upon the country by Limited Liability Companies, the capital of which is now larger than the National Debt, and is rapidly being paid off at a rate which, if continued for 61 years, will extinguish it. It must be admitted that it would be a serious matter to check this form of investure for the savings of all classes of our countrymen, and it is important that heads of companies, present and future, shall be composed of men of substance and character, and if they have any administrative capacity, so much the better. It would be a serious matter if these men were driven off the Boards, and their places were taken by men who go on Boards for the sake of their fees. I do not so much object to the 3rd clause, which enacts that Directors shall be responsible for statements made by them in prospectuses or notices, and, indeed, I apprehend that is now the law. Still, even this part of the Bill bristles with obscurities and difficulties. The word "notice," for instance, is a very wide word indeed, and it is difficult to say to what it may not extend. This Bill applies to every prospectus and every notice. I apprehend that it would include verbal notices, possibly a conversation in the street, and that it would include a letter written in response to one from a shareholder inquiring about some proposed issue of new capital. It would also, I presume, apply to a speech made by a Director at a meeting of the company. It may be that at the meeting 20 reporters attend, and one of them makes a mistake—a perfectly honest one—on some material point. Yet, in the event of the company proving unsuccessful years afterwards, and the shareholders swearing that the words given in the inaccurate report were, in fact, used, the Director might be called upon to prove that he did not utter them. There is a great risk when the liability is unlimited, and this Bill will make Directors responsible to the last penny of their fortune. Then, the hon. Member for Oldham has very properly called attention to the vagueness of the word "misleading." I should have no objection to the phrase "calculated to mislead" but a statement might, as the Bill stands, be held to be "misleading," not because it was calculated to mislead a man of ordinary intelligence, but because a shareholder swore and persuaded a Jury that he had read it in a certain sense, and had been misled by it. But my most serious objection to this part of the Bill relates to the provision with respect to the guarantee by Boards of Directors of the statements of experts. It is pretty notorious that experts, especially civil engineers, are often mistaken in their calculations, both as to engineering difficulties and as to the probable cost of

public works. Then Directors are to be bound to guarantee that a Report is made by the person whose name it bears. But it is possible that honest Directors may be the victims of some conspiracy on the part of persons in foreign countries, who pass off upon them a Report bearing a false signature. It has, indeed, been suggested that that difficulty could be overcome by requiring the signature of the expert to be attested by a British Consul. But there are many districts in which there is no British Consul, and it is no part of the duty of the British Consul to guarantee the signature of a civil engineer, whom possibly, moreover, he may not know. Besides, the signature of a British Consul might be forged to the attestation, as has been done in the past. Then, although a Board of Directors might take every care to assure themselves of the competence of a civil engineer resident in a foreign country, whom they might employ to report, it is possible that they may be mistaken. This Bill, however, makes Directors guarantee that they have made reasonable inquiry into the competency of a man employed by them. And I am afraid that when there is a discrepancy between the estimate of a civil engineer and the final cost of works, it would constitute a *primâ facie* proof of the man's incompetency. Then, again, attention has been drawn to the words "inquiry and examination." I am at a loss to understand what is the meaning of "examination." It may be held that the Directors are bound to examine work done by the experts in other places, or it may be anticipated that they must put an engineer through such an examination as he would have to pass if he were a candidate for a place before the Civil Service Commissioners. Very possibly a Board might appoint an expert who afterwards turned out to have an interest in the property being sold at a high price. In that case the Board might be thought not to have shown reasonable diligence in ascertaining such a fact, and might be made answerable accordingly. The Bill actually provides that every person is to be made responsible to the utmost extent of his fortune if his name appears on a prospectus, unless he can prove that the name was put on the prospectus without his consent. Now, it is known not to be an uncommon thing for names to be put on prospectuses without the consent of the persons to whom they belong. Surely it is monstrous that a person should be called on years after to prove negatively that he never gave his consent. An hon. Member opposite has indeed said that on this matter we may trust to the common sense of the Judges. But it would hardly be creditable to us as legislators to rely on the Judges to give an interpretation to phrases we may have carelessly adopted in this House. It will be a serious thing for the country if we are to drive honourable and high-class men off the different Boards of Directors. I am afraid this Bill will have exactly the opposite effect intended by its promoters and supporters. If it should turn out that the better class of Directors refuse to join new Boards the consequences may be serious to us as a commercial nation. The formation of companies for the development of the resources of foreign countries may then pass from us to Berlin and Paris; and trade or the supply of railway plant or machinery for new undertakings will to a large extent follow the domicile of the new companies. I happen to be Chairman of a railway in South America. I am nearly the largest shareholder in it. It is a prosperous undertaking, and I know that we spent an enormous amount of money for railway material and plant in this country. Again, I have in my mind a company connected with the Argentine Republic. That company is domiciled in Paris, and I know that all its orders for rails and plant are placed in France. It is only natural, but it affords an argument for making this country the domicile of new companies. I do not apprehend that there will be an immediate exodus from the Boards of existing companies of the Directors who now sit upon them, but there may be such an exodus in consequence of the interpretation given to the Act, and I am afraid that men of character will be shy of joining Boards hereafter. Generally Directors are not guinea pigs, but honest and substantial men. This Bill will not put down fraud in the establishment or in the direction of existing companies or of new companies. Since attention has been called to the measure, the newspapers have shown how a clever man can run a coach

and six through its provisions in half a dozen ways. The Bill will play into the hands of schemers at the expense of honourable and respectable men on the Boards of companies, and I am afraid that if it passes into law without serious alteration many of those who invest their money in companies will rue it.

*(3.55.) MR. JENNINGS (Stockport): I should like briefly to state the reasons which will induce me to vote for the Third Reading of this Bill. In the first place, I support it because I believe it will have a tendency to check the reckless speculation that goes on at the present time. The excessive and inordinate multiplication of Joint Stock Companies is a real injury to trade, and renders very difficult the legitimate enterprise of private firms. The Member for Oldham has said that in his own constituency the principle of limited liability is exceedingly successful. I should not like to contest any statement made by the hon. Member about his constituency, but I have read in journals of good information and authority that the percentage of profit among the Oldham Mills is exceedingly small—not much exceeding 3 per cent.—and that even this will not often bear close analysis and examination. Therefore, I contend that the excessive multiplication of Limited Liability Companies does harm to genuine trade, and if it is carried on as at present it will eventually sap the foundations of the old commercial industries of this country. Another reason for supporting the Bill is, that it will have a tendency, to some extent at any rate, to put a restraint upon Members of Parliament becoming Directors of public companies. I see no reasonable objection to Members of Parliament becoming Directors of companies if they stand in the position of the hon. Member who has just spoken, who says he is one of the largest shareholders in the company of which he is Chairman; but a Member of Parliament who is a Director of 10, 12, or 14 companies is not in that position, and is not able to devote such a degree of personal attention to the companies as will make him a useful and responsible Director. In these cases their names are used as a lure to induce the ignorant portion of the public to enter into speculations which often turn out disastrously. How can a man pay the requisite attention to his duties, not only as a Member of Parliament, but as a Director of 10, 12, or 14 companies? It is a sheer impossibility, and it threatens to be a considerable reproach to the House of Commons that some of its Members should thus enter wholesale into the Directorship business. Moreover, at the time of private business Members are frequently called on to decide questions materially affecting railway, mining, and other companies, and how is a man with a dozen fees in his pocket as Director in a position to consider these matters in the interest of the whole community? His opinion will naturally be influenced by considerations affecting the companies to which he belongs. That is a form of bribery which has been growing up in modern years. I suppose unless a man has capital he is not often asked to become a Director. I was never asked to become a Director until I was elected a Member of this House, but since I have been a Member I have often been asked to assume that position, not because of any qualification I possess, but because of my vote here. I do not see why a Member of Parliament should not be a Director of one, two, or three companies;] but when it comes to 12 or 16, surely it passes the bounds of reason. Therefore, I confess that I look with gratification upon a Bill which I think must have a tendency to stop people from giving their names as Directors, in order that others may be enticed into speculations which after a time prove to be rotten. I must say I think the practice of modern years has been to assume that it is not wise on the part of a Member of the Ministry to become a Director. It is a good thing that Members of the Government should be free from any claims of that sort upon them. Therefore, it was with regret I noticed, in a list recently published, the name of one Minister who is a Director in seven companies. I look upon that as a great mistake. I venture to hope that the Bill will be passed, and that such defects as may be found in it will be corrected in another place. The Bill will have the effect, not of deterring men of honour from becoming Directors, but of deterring men who have no capital and who have no knowledge of business from lending their names to companies about which

they know little, in order to allure people who know less.

*(3.25.) MR. G. OSBORNE MORGAN Sir, the hon. Member (Mr. Maclean) gave us a long list of companies which had improved their position by something like 50 per cent., but he did not mention the hundreds and thousands which have come to utter ruin, and in which the shareholders have lost every farthing. I am not a man of sentiment nor a practising lawyer, such as has been described, but I have seen quite enough of these things to know that it is absolutely necessary that the law on this matter should be more stringent. I can assure my hon. Friend behind me that no honest and competent Director such as he is has anything whatsoever to fear from this Bill. In an able and ingenious speech he endeavoured to show that the Bill would bear hardly on honest men. But I think that I can show that his fear as regards one matter is absolutely unfounded. He supposes the case of a man having his name published as a Director without his knowledge, and that years afterwards he may be made liable. If he had looked at the Bill he would have seen that the Bill provides that if he can prove he never consented to become a Director, and that he never acted, that would make an end of his whole liability. There are three classes of directors. First of all the fraudulent—men guilty, if not of fraud, of such gross negligence as to be equivalent to fraud. As regards such men, I do not think this Bill is wanted. The law is quite strong enough to reach them, not only civilly, but criminally. Then, again, there are men who take Directorships who go into undertakings, because they are perfectly competent to act, and who take a large share in them. Such men have nothing to fear from this Bill. If I know anything of the English Bench of Judges I am certain that they would strain every point to relieve men who had taken every reasonable care to ascertain the truth of the representations made to them. But there is a third class of Directors, who I do not say enter upon undertakings with fraudulent intentions, but who, finding it difficult to make both ends meet, and "their poverty not their will consenting," go into the City and sell their names and titles in order that they may make an income. This is what happened to myself after I became a Member. One day I was sitting in my chambers when a gentleman, very much bejewelled, and wearing a hat which shone as I never saw a hat shine before, was introduced. He asked me to become a Director of a Law Bank. I informed him that I might know something of law, but that I knew very little of banking, which required an apprenticeship. He answered me that did not matter, and that all he wanted was my name, for that there were other Directors who would do the work. It is needless to say that I sent him about his business. But will anyone say that, if I had consented to his proposal, and the undertaking had proved rotten, I should not have deserved all the penalties which this Bill provides. The men whom this Bill is intended to hit are the men who lend their names to companies, simply because they will look well on the prospectus, and who know nothing of the undertakings into which they enter. If the Bill does hit them I think they have no reason whatever to complain. I am anxious to see this Bill read a third time, and any slight defects which are in it can be remedied in another place. I believe the Bill is an honest attempt to deal with a crying evil, and I do hope the House will allow it to pass.

(3.12.) MR. ISAACSON (Tower Hamlets, Stepney): Sir, I have listened to the arguments of hon. Members, and especially to those of the hon. Member for the Skipton Division of Yorks, all addressed to the point that this Bill will destroy the principle of limited liability, which has worked beneficially. Now, to my mind, if limited liability wanted anything to back it up, this Bill would do a great deal towards promoting what I may term the future stability of limited liability. Of late years I have been amazed at the number of rotten companies foisted on the public through people who have been graphically described as having "handles to their names which look well on a prospectus." A financial paper has been sent round to every hon. Member this morning, containing an article giving a list of *bonâ fide* companies, but carefully abstaining from giving a list of those companies in which people have lost their money. I find that the paper gives the total amount of money in such

companies at a much higher figure than is given by Mr. Giffen, who has stated £70,000,000 to be the amount. I believe that the result of this Bill will be to cause men of sterling character and of wealth to go on the Boards of companies in which they have a substantial interest, and in which the public can have confidence. I am certain that will be the result. I am not altogether in favour of the Bill. I do not think it goes far enough, and I think it certainly ought to include others than the Directors who are concerned in the promotion of bogus companies. I gladly hail the introduction of the Bill, however, as being for the benefit of all classes. My hon. Friend the Member for Oldham stated that the Limited Liability Act was very much approved in his district. I have had a paper sent to me, from which I should like to read an extract, proving exactly the contrary. It goes so far as to say that through the introduction of so many Limited Liability Companies the trade of the locality has been impaired. In this article it says—

"At the end of 1889 Oldham shares stood on an average about 12½ per cent. discount taking good and bad together, this on £3,500,000 share capital is equal to £437,500. During the five years named the Lancashire Spinning Company has gone into liquidation with a loss to shareholders of over £112,000. The Abbey has done the same with a loss of over £35,000, and the Industry with a loss of over £45,000. These amounts added to the £437,500 give a total of £529,500. This is without taking into account loss of capital caused by re-construction of concerns. In one case alone this amounted to £40,000. The total loss from this cause cannot be far short of £100,000. The depreciated value of shares only has been taken into account in these cases. Thus we have on the one hand £567,945 gains against £629,500 losses to shareholders, which means that had shares been realised at the share list prices of December last the capital would then have been working five years for nothing, and sustained a loss of itself to the amount of £61,555, and this with the best mills and machinery and also the most efficient workpeople in the world."

This is taken from a reliable source, and I do not think that the argument of my hon. Friend the Member for Oldham (Mr. Maclean) is in any way supported. There is another matter on which I would say a word, namely, the section of the Limited Liability Act under which Directors can be formally sued. No doubt actions against Directors have been tried over and over again under this section, and I do not think they have in every instance succeeded, but I know of several instances in which Directors have been proceeded against and have had to pay heavy penalties for their wrongdoing. This Bill, however, is a great deal more drastic than the existing law, and will enable the public to take precautions such as they have never yet been able against those who try to cheat them out of their money. I shall most cordially vote for the Third Reading of this Bill, although I should have been glad if the hon. and learned Member in charge of the measure had introduced other persons besides Directors so as to render them amenable under the provisions of the Bill. In this respect I think the Bill might with advantage undergo a certain amount of re-construction; but as that is not the case, I do not intend to vote against it, believing that, as far as it goes, it will prove a great boon to the public, for which we all owe a debt of gratitude to the hon. and learned Gentleman.

*(3.18.) MR. KIMBER (Wandsworth): This is a Bill which we are told is brought forward in the interests of morality, but I confess I do not see much evidence of morality in the Bill itself. The hon. and learned Gentleman who has brought forward the measure has indeed committed in regard to it the very offence for which, when committed in regard to a company's prospectus, he would render the Directors liable. What, I ask, is the impression given to the House of this Bill by him and his supporters? The hon. Member has himself, although of course quite unintentionally, made misleading statements with regard to it. I am not going to enter into a general argument of what a misleading statement is, but I remind the House that the hon. and learned Gentleman was supported the other day by another hon. and learned Member, the Member for Longford (Mr. T. M. Healy), whose whole speech was directed to this point, that the Bill was a Bill to convict Directors of fraud; and he did not attempt to show that the hon. and learned Gentleman was in error, although I feel convinced that if anyone had risen to order, you, Sir, would have ruled that the hon. and learned Gentleman was not in order in making that speech. It was evident that hon. and learned Members supporting this Bill regarded it as a very

useful means of bringing grist to the mill of members of the Bar. ["Oh, oh!"] Hon. Members say "Oh," but I assert that it is so, and I speak with some knowledge of the subject. I say it is a measure that will bring much grist to the lawyers' mill. Well, then, what is the idea produced outside of what the Bill does? I have in my hand an extract from one of the most respectable commercial papers of the day, which has published a highly moral article on the delinquencies of Members of Parliament who join Boards of Directors. That article congratulates the hon. and learned Gentleman (Mr. Warmington) on his success in carrying through Committee of the House of Commons the Bill which he has introduced, and it goes on to say—

"It is a fundamental principle of the Bill that punishment shall only follow where, and in so far as, the shareholders of a company suffer loss arising from either fraud or culpable negligence."

Is this true? Nothing of the kind. Fraud and culpable negligence in the representations of a prospectus are already provided for by the Common Law. This has been laid down by the highest legal authority of the land. It has been laid down by all the tribunals of the country, and sanctioned by a decision of the House of Lords, that

"In an action of deceit, fraud is proved when it is shown that a false representation has been made knowingly, or without belief in its truth, or recklessly without caring whether it be true or false. A false statement made through carelessness and without reasonable ground for believing it to be true may be evidence of fraud, but does not necessarily amount to fraud. Such a statement, if made in the honest belief that it is true, is not fraudulent, and does not render the person making it liable to an action for deceit."

Under these circumstances the Director is exempt under the existing law. But this Bill intends to carry the law of personal liability of Directors a great deal further, and to turn mere inadvertence into crime? But, if Directors, why not others also? I would ask if you are going to make a Director, why not also a barrister, liable for an honest misrepresentation such as he may make in the conduct of his client's case, simply because he has received for work done a few paltry fees? If that is the intention of the House the whole law of deceit should be altered and made applicable to every class. Why should not brokers, bankers, and merchants, who inadvertently make mis-statements, honestly believing them to be true, be rendered liable under this law in the same way as Directors. Why is this drastic provision to be made applicable to one set of persons, while the rest of the mercantile world is left untouched. The hon. Member for Stepney (Mr. Wootton Isaacson) has referred to a list of companies, showing an enormous amount of depreciation. He asserted that £180,000,000 of money has been lost in bogus companies. Why, Sir, the loss of £180,000,000 would have produced such an effect as has never been witnessed in this country from time immemorial. It may be that £180,000,000 is the total figure of the nominal, but not the real, share capital of companies which have not been successful; but if you examine into the matter, I think it will be found that the amount of loss sustained has been considerably exaggerated, and that when these bogus companies are wound up the actual money capital lost is but a few thousands, and in some cases a few hundreds each. We all know that the "galled jade winces," and that the man or woman who is heavily hit screams out much louder than the thousands who are reaping a regular profit. I ask hon. Members: how far is it proposed to carry the principle of this Bill? The Bill is one for the abolition of the principle of *caveat emptor*, and will enable careless and thoughtless individuals who read prospectuses promising high percentages to put their money into concerns without thought or examination, take their profit if they can "stag" their shares, and if they do not succeed become a perpetual worry to the Directors—they mark out a good man, and say, "If I can't make him liable I will pursue him to the day of his death with litigation." We know that worries of this kind are worse than verdicts in Law Courts. This is a Bill for the manufacture of litigation. Moreover, it sweeps all into one net of condemnation, and draws no distinction between the Director, the banker, the solicitor, the barrister—who is an expert and settles the prospectus invariably—the accountant, and the promoter, although the real responsibility as between those classes of persons and the

promoter is vastly different. The Director does not — or he cannot legally or properly — take anything beyond the remuneration prescribed by the printed Articles of Association, or by vote of the shareholders, for his additional trouble and responsibility, including the responsibility of the prospectus. He cannot do so unless it is stated in the printed Articles of Association. That is clear; and all the Director can demand are fees for his attendance after, and not before or during, the issuing of the prospectus. But the promoter or the vendor is the founder of the company; he is the person who makes the large profit; and he is the person who ought to be made responsible for statements made in the prospectus for the purpose of launching the enterprise. I do not say that Directors should be exempted from all liability. They should be made liable for culpable negligence, and are so by the existing law. I do not care to what extent they are made liable for that, as it ought to be regarded as fraud, which in fact it is. But I do think that in a Bill giving a subscriber the right to recover, you ought to discriminate, as regards degree and proportion, the liability between the parties who have contributed to mis-statements according to their culpability. In the case of the admission of an inaccurate statement on the part of an engineer, or a reckless statement on the part of a Director, it cannot be said that that would be a grave charge, or one that ought to involve the same pecuniary liability as an intentional mis-statement on the part of a promoter. We ought to draw a distinction between a Director who, though honest, has by carelessness been led into a mistake, and a Director or promoter who deliberately gets the plunder out of a company by fraud. But besides the remedy which the Common Law gives in the case of fraud and culpable negligence, other remedies are given under the Companies Acts of 1862 and 1867. The former Act gives a remedy against any Director who by misfeasance or culpable negligence, loses a company's money, and it summarily calls on him to supply the money so lost; and under the latter Act referred to by the hon. Member for Donegal, Section 38, there is a distinct penalty for fraud imposed on every Director, promoter, or officer of a company issuing a prospectus from which particulars of contracts are omitted, whether the contracts are adopted by the company or not. I consider that the hon. Member in charge of the Bill has somewhat misled the House by neglecting to point out the extent to which the measure will alter the existing law. If he will point that out, I have no hesitation in saying that he will show that we shall be landed in endless confusion if we pass it, as the law will be utterly unconstruable when the Bill is read side by side with the existing law. When the Bill comes to be considered by the judicial minds of the House of Lords—assuming that it passes this House—I shall be exceedingly surprised if they do not, whilst giving the Commons credit for the best motives, declare that the measure is badly-constructed, and is one which, if placed on the Statute Book, would be constantly coming before the Judges to have legal constructions put upon it at the expense of the public.

*(3.41.) SIR C. RUSSELL (Hackney, S.): I take an entirely different view of the Bill to that of the hon. Member who has just sat down, and I do not think he gives himself credit for the amount of intelligence which I know he possesses when he tells us that he does not clearly understand the provisions of the Bill. I do not propose to follow the hon. Member into the somewhat discursive matters referred to in his speech, but I wish to remind the House of what is the principle of the Bill, and then to ask whether there is anything in the application of that principle repugnant to good sense and to honest fair dealing. The principle of the Bill is that a man shall be responsible for the statement which he makes in order to induce others to act upon that statement. Is there anything repugnant to common sense in that principle? Why is not a man to be held responsible for the assurances that he is party to putting before the public in order to induce members of that public to embark their moneys in his speculative or commercial undertakings? But it may be said that a man may have committed himself to a statement which he honestly believed to be true, and which he had taken some reasonable pains to inform himself about, and that it would be very hard, in such a case, that he should be made, civilly

or otherwise, responsible for the mis-statement he honestly made, and which he was led into making without any culpability on his part. I agree that that would be very hard. But it is not what the Bill provides. The Bill deals with two classes of statements. It deals entirely with statements which are put forward to the public with the view of inducing members of the public to subscribe for shares, debentures, or Debenture Stock of a company, and it restricts the application of the Act, first, to persons who are Directors, or who are named as parties to be Directors; and, secondly, it includes persons who have authorised, or who are responsible for, the issue of a prospectus or notice.

*SIR R. LETHBRIDGE: What if the name does not appear on the prospectus?

*SIR C. RUSSELL: It is a question of fact which has to be established, like all statements of fact, by evidence. What are the safeguards? A man is challenged for having been party to putting before the public a statement which proves to be untrue. Now, that statement may be either one of two things. It may be a statement which purports to come from an expert. The Bill in that case provides that a person *primâ facie* putting forward a statement of an expert shall not be responsible for the untruth of that expert's statement, provided he has taken reasonable pains to inform himself as to the grounds on which it has been put forward. Is that too much to expect? Surely not. Then there is a second class of statement—a statement, coming, not from an expert, but from those who are issuing the prospectus, as to the position and working of the particular enterprise, or any other important facts bearing upon its probable success or non-success. What is the protection in that case? It is as clear as it can be; there is no liability attaching to the promoter, Director, or other person putting forward any such statement provided he has made reasonable inquiry and has reasonable ground to believe it. I maintain, therefore, that there is a sufficient mantle of protection thrown over the action of honest men, and there is a very important safeguard to the public injuriously affected by the action of culpably careless and negligent men. I was rather surprised to hear the exaggerated language used in the Debates on the Bill, and to hear it stated that the effect of it would be to injure the operation of Acts which I admit to have been, on the whole, beneficial—I mean the Joint Stock Acts. The Bill, however, will teach men—many of whom are in this House—more, perhaps, than there ought to be—and many who are outside this House—who have carelessly, I will not say from any dishonest design, assumed a position which they ought never to have assumed—a position in which they have allowed themselves to be nominated, and to lend their name and reputation to enterprises of which they know little or nothing, and which turn out to be of a doubtful character.

*(3.48.) MR. CREMER (Shoreditch, Haggerston): I had not the pleasure of listening to the whole of the speech of the hon. Member for Stockport (Mr. Jennings), but that portion of it which I did hear I heartily endorse with regard to the temptations that are held out to Members of this House to join the Boards of Directors of companies. There are few poorer men in this House than myself, and though before I had the privilege of a seat in this House I was never invited to become a Director of any company, since I have been here I have been offered a seat on the Board of a Joint Stock Company, the inducement held out to me to join being that the emoluments of a Director were £200 a year, and that the hon. Member for Kirkcaldy had already given his sanction and approval to the scheme. [*Laughter.*] The House will learn, if it will permit me to continue, that the hon. Member for Kirkcaldy had done nothing of the kind. It was an infamous fabrication on the part of the promoters of that scheme. I was rather too cautious to fall at once into the trap, and I waited until I saw the hon. Member for Kirkcaldy. I asked him, knowing that he was an exceedingly cautious man—and that he came from that part of the United Kingdom where men are said to be more cautious than any others—how it was that he could lend his name to such a company, and he expressed his astonishment, and said he had never heard of the company. I then saw that I had been right in exercising caution, and in not replying to the communication. Is it right that temptations of this kind should be put in the way of poor Members of this House? I have heard

it stated that there are Members of this House who are Directors in 16 or 17 companies. For my own part, I think that it would be best to commence by paying the Members of this House, and then to prohibit them from identifying themselves with companies of the character of that to which I have just referred, and thus to protect the British public from being gulled and humbugged into the belief that such companies are honest and *bonâ fide* ones. I believe that this measure is a healthy step in the right direction; and although I should like to see it made more drastic and its scope enlarged, I shall most heartily vote for the Third Reading.

*(3.53.) MR. DIXON-HARTLAND (Middlesex, Uxbridge): As one of the Members of the Grand Committee to whom this Bill was referred, while I entirely sympathise with its object, I must oppose the measure, because I think it will have the opposite effect to that which is intended, and, instead of bringing honest and respectable men on to the Boards of these companies, it will have the effect of driving them away. One of the greatest safeguards for the companies is that men of good standing and means should join these Boards; but if this Bill passes, no man of character will in the future join them. In the future the greater part of the trade of this country will come to be conducted by Joint Stock Companies, and therefore Parliament ought to adopt the course of strengthening the Boards of such companies instead of passing measures of this kind, which will tend to drive away from them men of good position and of known honesty. The hon. Member for Stepney says that £180,000,000 has been lost in these Joint Stock Companies, but Professor Leone Levi has put the amount at only £55,000,000.

MR. ISAACSON: Professor Leone Levi based his calculations on a much shorter period than that I have taken.

*MR. DIXON-HARTLAND: In any case, the hon. Member must have taken it for granted that the whole capital of the companies which have failed has been paid up, and also taken into account companies which, although they may not be paying dividends just now, are gradually improving their position, and will probably eventually become prosperous concerns. Companies which at first have to struggle, but eventually become successful, cannot be called bogus companies. If the Bill is passed it will introduce an entirely new principle into the law, as the burden of proof will be transferred from the plaintiff to the defendant. At present when a case is tried the plaintiff has to prove that he has been injured by some mis-statement on the part of a Director, but under the Bill, if there is a mis-statement, the Director has to prove his innocence, which will be a condition of things which will prevent respectable people from becoming Directors. In England, the presumption of the law has always been that a man is innocent until proved to be guilty, and that presumption should hold in the case of Directors of companies. Do hon. Members who support this Bill believe that it is in the power of the House of Commons to protect, by legislation, those people who are grasping at a high interest? The measure will be inoperative as far as rogues and dishonest men are concerned, and it will only deter honest and respectable men from joining these Boards.

(4.1.) MR. FLYNN (Cork, N.): All the arguments against this Bill seem to assume that it is directed against the principle of Limited Liability Companies. I take it, however, that the Bill is directed, not against that principle, but against scoundrels, and abuses which have become notoriously frequent of late. The hon. Member for Haggerston has given the House his experience in this case, and I dare say that the majority of Members of this House have had similar temptations held out to them by companies not formed on an honest or *bonâ fide* basis. The hon. Member who has just sat down says the Bill will operate to the advantage of people who are on the look out for interest, but surely that is what the House is constantly doing. The Bill will diminish the temptations placed in the way of ignorant and inexperienced people, who are deluded by artfully drawn prospectuses, and for that I maintain that the hon. Member who is in charge of the measure is entitled to the thanks of the entire community. As to the statement of the hon. Member for Oldham, that the House was left in darkness as to the meaning of the Bill owing to the fact that the decision on the Second Reading was taken late at night, I would remind

the House that by reason of the way in which Private Bills have now to be dealt with private Members are obliged to get them through in the best way they can —openly if possible, but if not by stratagem. I regret that the measure is not of wider scope. We have all had experience of the large number of companies which are annually floated, principally in London, and those who know anything of them see that they are absolutely nothing but traps for ensnaring the money of the public. In my opinion this measure has been amply discussed, and I shall vote in its favour.

(4.7.) SIR G. HUNTER (Hackney, Central): I intend to oppose the Bill, because I believe it to be a monstrous one, for the reason that after it becomes law no man of standing or of substance will dare to become a Director, while the provisions of the measure will not tend to prevent fraud in any way. Hon. Members of this House are asked to join companies which no honest man would care to associate his name with; but I can inform the hon. Member for Haggerston that it is easier to get a seat in this House than to get a seat on a good Board of Directors of a sound company.

*(4.9.) MR. C. GRAHAM (Lanark, N.W.): I intend to support this Bill, on the ground that it will make the promotion of these Joint Stock Companies more difficult than it is at present, and so prevent the burden of the dividend-paying working man from being increased in the future. I will not go into the personal aspect of the case—as to whether Members of this House join Boards of Directors rashly. I do not know whether that is the case; but if it is, I do not wish to be oppressed here by the grunting of innumerable swine, even although they are of Guinea. In the House of Commons one would rather expect to sit amongst choice company; and as every Joint Stock Company, no matter how honest or dishonest in its inception, is in the nature of gambling, and as in the House of Commons we might at least sit "unelbowed by a gamester, pimp, or player," I shall support the Bill.

(4.10.) The House divided:—Ayes 224; Noes 50.—(Div. List, No. 173.)

Bill read the third time, and passed.

PHARMACY ACT (IRELAND) (1875) AMENDMENT BILL.—(No. 241.)

ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [25th June], on Consideration of Bill, as amended, "That a Clause (First election of representatives of chemists and druggists to council,)"—(*Mr. Sexton,*)—be read a second time.

Question again proposed.

Question put, and agreed to.

Clause added.

Another Clause (Penalties,)—(*Mr. Sexton,*)—brought up, and read the first and second time, and added.

Another Clause (This Act and the principal Act to be read together,)—(*Mr. Sexton,*)—brought up, and read the first and second time, and added.

Amendment proposed, to leave out Clause 4.—(*Dr. Fitzgerald.*)

Question proposed, "That Clause 4 stand part of the Bill."

Amendment, by leave, withdrawn.

Amendment made.

*(4.22.) DR. FITZGERALD (Longford, S.): The 6th clause, which I now propose to omit, seeks to abolish the power of the Society called the Pharmaceutical Society of Ireland, and to replace the Society by a very different body of persons. This is done for reasons which I suppose will be explained by the hon. Member for West Belfast (Mr. Sexton), who, I regret, is one of the principal supporters of the Bill, and without whose powerful aid the Bill would not have had the least chance of passing. The Pharmaceutical Society of Ireland was established by Act of Parliament for the specific purpose of the education and training and examination of a body of men who were to dispense medical prescriptions, and otherwise deal in poisons and keep open shops for the sale of drugs in general. This was a small body, and they carried out their professional purpose to the letter of the law. It has never been charged against them that they have done any illegal act, either collectively or individually, as members of the Society; but who are the other persons whom my hon. Friend wishes to endow

with the particular claim of this Society to dispense poisons and deal in drugs, They are a body of men of whom many have been pronounced by Judges to have been guilty of illegal practices, and some have been visited with severe penalties in consequence. I have the disadvantage of having to speak before my hon. Friend (Mr. Sexton), and I do not know what will be the contention of my hon. Friend why these 3,000 men, who have been acting in defiance of the law, should now have their actions legalised. I cannot by anticipation say what blandishments my hon. Friend may use on behalf of this body of men. Perhaps my hon. Friend may say that the number of qualified chemists in Ireland are too small a body of men, and do not live in those remote districts in which it is necessary to obtain these poisons and medicines; but will he contend that because in some districts in Ireland and Scotland persons have to go from 14 to 20 miles for a doctor, and because in these districts there are a certain number of old ladies with whom my hon. Friend is very well acquainted, who are called "knowledgeable old women," who think they know more of medicine than all the doctors, will my hon. Friend be ready to qualify these interesting old dames as M.D.'s and Fellows of the College of Surgeons? I do not know what arguments my hon. Friend may put forward to support the claims of these men, whom he seeks to put in the place of qualified chemists, except an unaccountable craving among persons in the North of Ireland to poison themselves and everybody else. If this clause passes we must be prepared to find in the shops of small general dealers, side by side on one shelf, to be sold by men who have had no practical training, oxalic acid and washing soda, arsenic and baking powder. I cannot but think my hon. Friend is influenced by this particular class of traders within his own constituency, and that is natural, perhaps, on his part; but I cannot foresee upon what plea the Attorney General for Ireland will support this claim. My hon. Friend may introduce some statistics to the House in order to further the claims of these persons in the North of Ireland. I am quite prepared, should I ever arrive at a more exalted place, to find my hon. Friend demonstrating to archangels, upon incontrovertible statistics, that the electors of West Belfast ought really to have all the front places. But I do not think the House of Commons will be persuaded by any statistics to-day to do what, to my mind, will be a very dangerous thing—to legalise the acts of unqualified men who have continued to trade in defiance of the law. I do not think that all the legal acumen of the Attorney General for Ireland will persuade this House to allow these persons, who have had no experience whatever in dealing with these drugs, to mix up these things with the food of the people in their shops. On these considerations I move the omission of a clause for which I do not think my hon. Friend can have much to urge.

Amendment proposed, to leave out Clause 6.—(*Dr. Fitzgerald.*)

Question proposed, "That the words 'every chemist and druggist' stand part of the Bill."

(4.35.) MR. SEXTON (Belfast, W.): I understood my hon. Friend was about to move the insertion of the words "and styling himself as such," of which he has given notice. He has certainly dealt with a simple point, in an eloquent and amusing speech, in defence of the Pharmaceutical Society. I can assure my hon. Friend that the Society will still remain the Governing Body in all matters connected with the Bill; we only propose that these chemists and druggists shall elect seven members on the Board, and the Society will still have 14, or two-thirds of the governing power. The English Pharmacy Act had the effect of establishing two bodies, the Pharmaceutical Society and the body of chemists and druggists. Members have been appointed upon different examinations, and these two bodies have pursued their respective functions in a manner satisfactory and convenient to the public. But, unfortunately, the powers given to the Pharmaceutical Society of Ireland under the Act of 1875 to create a second grade of chemists have remained unused. The Society have excluded from the provisions of that Act all those who are not members of the Society. The Council by their culpable inaction have omitted to create a second grade of chemists and druggists, and the consequence is that, except in the larger towns, such as Dublin, Belfast, and Cork, duly qualified chemists are not found, and to supply the public need there has sprung up a class of traders, numbering now some 2,000 or 3,000, who, in diffe-

rent parts of the country, supply such drugs and medicines as farmers and others may require for their families, or for their cattle, at a more reasonable rate than if the trade remained in the sole possession of the pharmaceutical chemists. It is obviously unfair that these persons who have come into the trade in consequence of the default of the Council should be driven from the trade. The main portion of their business is the supply of drugs, sometimes of a poisonous nature, to farmers, for use in regard to cattle; and the efforts of the Pharmaceutical Society have been directed to prevent such sales, with the result that a man has been fined £5 for selling a pennyworth of laudanum, though the sale was conducted in strict conformity with all the precautions required. The Magistrates, while inflicting the penalty, said they greatly regretted and condemned the state of the law that obliged them to enforce the fine. This is a condition of things which should not be allowed to continue. What I propose is that those who have been in the trade since 1875 should be allowed to be registered as qualified. I am willing that hereafter there shall be examinations, but those who have conducted business, hitherto, with great convenience to the public and without casualty of any kind, should retain their position. My hon. Friend represents a constituency of farmers. Can he maintain that a farmer of Longford who requires to purchase some substance necessary for the treatment of his horses, cattle, sheep, or pigs, shall write to Dublin, Belfast or Cork, and, after long delay, pay double price for the article? I trust my hon. Friend will not persist in his Amendment.

*(4.40.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The hon. Member who has moved the Amendment has expressed some curiosity to know upon what ground I could support a Bill in the interests of certain persons whom he represents as breakers of the law; but I support the Bill not in the interest of such a class, but in the interest of the general public. A great public want has been proved to exist, and it is no answer to a Bill which proposes to supply that want to say that certain persons are supplying the want in a manner by which they have rendered themselves obnoxious to the law. That is the manner in which the subject presents itself to my mind. I need not detain the House, because the hon. Member for West Belfast has clearly and accurately stated how the present state of things has arisen since the Act of 1875. I do not enter into motives; but, as a matter fact, the Pharmaceutical Society have not availed themselves of the powers conferred upon them by the Act of 1875 to create another grade of chemists and druggists, and so this legislation is necessary. As has been pointed out, there are substances used in veterinary medicine which are more or less poisonous in their character, and those compounds are largely required all over the country; to say, for instance, that the poisonous compound known as sheep-wash shall only be purchased of one of the few pharmaceutical chemists in the country is, in my opinion, an absurd state of the law.

(4.41.) DR. FITZGERALD: I am content to withdraw the Amendment.

Amendment, by leave, withdrawn.

Amendment proposed, Clause 6, lines 27 and 28, to leave out "half-a-guinea," and insert "one guinea."—(*Mr. Sexton.*)

Amendment agreed to.

MR. SEXTON: At the end of Clause 6, I propose to add the sub-section transferred from the end of Clause 7. It will be observed that, appearing where it does, the sub-section is out of place. Clause 7 provides for examinations of various persons, and the sub-section provides for a class of persons who are not to be subject to examinations, and, therefore, should take its place at the end of Clause 6.

Amendment proposed, in Clause 6, page 2, after line 28, insert the following sub-section:—

"(4.) A person who has, prior to the first day of January, one thousand eight hundred and eighty-nine, served as an assistant or apprentice and assistant for a full period of seven years to a chemist and druggist who has registered under this Act, or who, had he survived or continued in business, would have been entitled to register under this Act, shall be entitled to be registered as a chemist and druggist without examination on complying with the other provisions of this section."

Amendment agreed to.

MR. SEXTON: I may explain that as Clause 7 stands, it provides that every person who goes into business after the 1st January shall be subject to certain examinations, but it might be doubtful if he would be so subject if he goes into business after the passing of the Act, and this Amendment is to make the drafting clear.

Amendment proposed, in Clause 7, page 2, line 32, to leave out "and before the passing of this Act."

Amendment agreed to.

Amendment made, in Clause 7, page 2, line 34, after the word "become," to insert the words "or who, had he survived or continued in business, would have been entitled to become."—(*Mr. Sexton.*)

MR. SEXTON: It is a fact that it would be unfair for a person who has failed at the first examination that he should present himself for re-examination without payment at any time whatever, and so I propose to insert the limit of 12 months.

Amendment proposed, in Clause 7, page 3, line 14, at end, to insert the words, "within twelve months."

Amendment agreed to.

Other Amendments made.

Bill to be read the third time to-morrow.

PAUPER LUNATIC ASYLUMS (IRELAND) (OFFICERS SUPERANNUATION) BILL.—(No. 358.)

As amended, considered.

(5.10.) MR. JOHNSTON (Belfast, W.): I hope the House will be good enough to allow the Third Reading of this Bill.

MR. CRILLY (Mayo, N.): I am sorry to do anything to obstruct the passage of this Bill, but to my mind it does not go quite far enough, and I therefore propose to move the omission from Clause 3 of the words "whose whole time has been devoted to the service of such asylum." Now, this Bill proposes to impose taxation on the country for the benefit of certain classes of people connected with lunatic asylums, but it does not include clergymen or doctors who attend to the unfortunate inmates of these institutions. I cannot see any reason for such exclusion, and, therefore, I move the Amendment, the adoption of which will secure the end I have in view, while it will leave it with the Governors to decide whether a clergyman or a doctor, who has spent many years among these poor creatures in asylums, shall have a superannuation allowance. I hope the hon. Member in charge of the Bill will accept this Amendment.

Amendment proposed, in page 1, lines 11 and 12, to leave out the words "whose whole time has been devoted to the service of such asylum."—(*Mr. Crilly.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

(5.14.) MR. JOHNSTON: This matter has been discussed on previous occasions, and though I agree with the hon. Member that there is much to be said in favour of the proposal, yet I cannot accept the Amendment, because those who give only a portion of their time to the service of an institution cannot be said to stand on the same footing as those whose whole time is devoted to the work.

(5.15.) MR. CHANCE (Kilkenny, S.): This Bill is not a compulsory one. It merely gives the Board of Governors power, under certain circumstances, to give increased pensions. I think the minimum of service is 15 years, and it strikes me that the surgeons and chaplains who hold the appointments in these institutions would never come within the scope of the Bill, for they do not put in anything like 15 years' service. Their average runs from five to eight years. Now, the object of the Bill is to assimilate the law in Ireland to that in England. In the latter country pensions are not given to those who only render partial or casual service, and if, by this Amendment, you introduce a new disparity into the law, you will defeat the purpose of this Bill.

(5.18.) MR. CLANCY (Dublin Co., N.): I am not disposed to agree with the arguments of the hon. Member who last spoke. In my opinion, if you deviate from the law of England in this respect you will set an example which may be followed hereafter in England with very beneficial results. I do not see why a clergyman who has spent 15 or 20 years in such a service as this should not be entitled to a pension. I think it grossly unjust to exclude such cases. I

am in entire sympathy with the objects of the Bill, and have no wish to delay it passing into law, but I do think the Amendment should be accepted, and, if it is, I have no fear that the House of Lords will take it upon themselves to throw out the Bill.

(5.20.) MR. FLYNN (Cork, N.): I hope that my hon. Friend will press this Motion to a Division, and I do think the hon. Member for South Belfast ought to assent to so reasonable a proposition. If it is carried it will remain within the discretion of Boards of Governors either to grant or to refuse superannuation allowances in these cases. The present state of law presses very hardly upon Roman Catholic clergymen. Again, many doctors who have but a small private practice, remain for a long period of years attached to asylums, and render very valuable service. Why should they not be entitled to superannuation allowances? I know, too, a case in which a Roman Catholic clergyman, attached to a large district asylum, complains that the salary he at present receives is not sufficient to cover his car hire. This man is performing onerous and responsible duties at an actual pecuniary loss to himself; he has occupied his post for many years, and yet this Bill will disentitle him to a pension. Surely if one class of officials attached to an asylum is entitled to a pension all classes should be put on the same footing.

(5.25.) MR. STOREY (Sunderland): This is a Bill providing for additional superannuations, and the object of the Amendment is to enlarge the scope of the measure still further. To judge from the discussion which has been going on for the last half hour, one would think that hon. Members of this House were in favour of using public money for this purpose. Now, I am utterly opposed to the whole principle of this Bill, and I shall vote not only against the Amendment, but also against the Bill itself. This money is to be taken out of the pockets of the ratepayers of Ireland, and what control, I will ask, have the ratepayers over the Grand Juries, which will have the distribution of it? Apart from the general question, when we come to the specific Amendment I think we English Radicals have a right to feel annoyed that that should have been proposed. One has good reason to object as a matter of common sense, I mean Parliamentary common sense, which is very different from ordinary common sense.

MR. JOHNSTON rose in his place, and claimed to move, "That the Question be now put;" but MR. SPEAKER withheld his assent, and declined then to put the Question.

Debate resumed.

MR. STOREY: I am obliged to the hon. Member. What is the question before the House? It is a common sense proposal to give superannuation allowances only to those who have given the whole of their time and their duties in connection with the asylums.

MR. W. JOHNSTON: The Bill comes from the other side of the House.

MR. STOREY: Then I withdraw the compliment I was about to pay the hon. Member. I cannot understand a proposal to superannuate a man who has been only partially engaged.

*(5.30.) MR. SPEAKER: Order, order!

It being half-past Five of the clock, the Debate stood adjourned.

Debate to be resumed to-morrow.

MARRIAGES IN BRITISH EMBASSIES, &c., BILL.—(No. 359.)

As amended, considered; Amendments made; Bill read the third time, and passed.

SUPREME COURT OF JUDICATURE (PROCEDURE) BILL.—(No. 245.)

As amended, considered; Amendments made; Bill read the third time, and passed.

BOILER EXPLOSIONS ACT (1882) AMENDMENT BILL.—(No. 339.)

Considered in Committee, and reported, without Amendment; Bill read the third time, and passed.

MARRIAGE WITH A DECEASED WIFE'S SISTER BILL.—(No. 19.)

Bill considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Wednesday next.

PUBLIC HEALTH (SCOTLAND) ACT (1867) AMENDMENT BILL.—(No. 345.)

Considered in Committee, and reported, without Amendment; Bill read the third time, and passed.

PUBLIC ACCOUNTS COMMITTEE.

Fourth Report, with Minutes of Evidence and Appendix, brought up, and read;

Report to lie upon the Table, and to be printed. [No. 278.]

MOTIONS.

REGISTRATION OF ELECTORS ACCELERATION BILL.

On Motion of Mr. Hobhouse, Bill to accelerate the proceedings for the registration of Electors in England and Wales, and to alter certain dates connected therewith, ordered to be brought in by Mr. Hobhouse, Sir Ughtred Kay-Shuttleworth, Sir John Dorington, Mr. Gurdon, Mr. Arthur Acland, Mr. Dugdale, and Mr. Brunner.

Bill presented, and read first time. [Bill 367.]

BIRSTALL WESLEYAN CHAPEL TRUST SCHEME CONFIRMATION BILL.

On Motion of Mr. Woodhead, Bill to confirm a Scheme of the Charity Commissioners for the Charity known as "The Wesleyan Methodist Chapel, School-house, Dwelling-house (or Preacher's Residence), and Trust Property" in the parish of Birstall, in the West Riding of the County of York, ordered to be brought in by Mr. Woodhead, Mr. James William Lowther, and Mr. Alexander M'Arthur.

Bill presented, and read first time. [Bill 368.]

DWELLING HOUSES LETTING (SCOTLAND) BILL.

On Motion of Mr. Provand, Bill to amend the Law as to yearly lettings of Dwelling Houses in Scotland, ordered to be brought in by Mr. Provand, Mr. Baird, Mr. Edmund Robertson, and Mr. Caldwell.

Bill presented, and read first time. [Bill 369.]

BUSINESS OF THE HOUSE.

On the Motion for adjournment:—

MR. HUNTER (Aberdeen, N.): Will the right hon. Gentleman say whether the Scotch Police Bill will be taken to-morrow; and, if so, whether it will be early or late on the list?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): No, Sir; I do not think the Scotch Police Bill will be reached to-morrow. The Army Estimates will be the main business.

MR. CLANCY: Will there be any opportunity in the Debate on the Estimates of discussing the Railways Purchase Bill?

MR. JACKSON: There will, I apprehend, be some opportunity when we reach the Bill, and when the sum is taken for the purchase.

MR. CLANCY: Is that the sum of £50,000?

MR. JACKSON: Yes.

MR. SEXTON: I hope the Government will find it convenient, as well as constitutional, to delay the final sanction to the Bill.

MR. A. O'CONNOR (Donegal, E.): As the Motions on the Paper are likely to be somewhat confusing, will the right hon. Gentleman the Secretary to the Treasury inform the House in what order the Army Estimates are to be taken?

MR. JACKSON: Yes, Sir; Vote 5 is the first group and Vote 10 is the second group of Army Estimates, and for the convenience of the House, and for the purpose of affording an opportunity of discussing at the same time the Report of the Royal Commission, of which the noble Lord the Member for Rossendale was Chairman, it has been arranged to take Vote 10 the Army Estimates and Vote 12 the Navy Estimates together, so that hon. Members will have an opportunity of discussing questions both of the Army and the Navy. The subsequent notice which appears on the Paper was put down in order to give the House a clear understanding as to what would be the next Vote taken after the Vote to which I have referred.

MR. A. O'CONNOR: Are we to understand that the Army Votes and the Navy Votes will be before the Committee simultaneously?

MR. JACKSON: Yes, Sir.

MR. STOREY: Can the right hon. Gentleman state what business will be taken on Friday?

MR. JACKSON: I cannot say.

MR. STOREY: Will it be other business than the Estimates?

MR. JACKSON: I am unable to say.

MR. BRYCE: Can the right hon. Gentleman state when the Scotch Police Bill will be taken?

MR. JACKSON: I am not in a position to say now.

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 3rd July, 1890.

LORD CARBERY.

Petition of William Charles Baron Carbery in the Peerage of Ireland, for leave to amend his petition, claiming a right to vote at the elections of Representative Peers for Ireland (presented on the 22nd of May last); read and referred to the Lord Chancellor.

ELECTRIC LIGHTING ACTS AMENDMENT (SCOTLAND) BILL.—(No. 122.)

Returned from the Commons with the amendment agreed to.

COMPANIES (MEMORANDUM OF ASSOCIATION) BILL.—(No. 110.)

House in Committee (on re commitment) (according to order).

THE LORD CHANCELLOR: My Lords, I have only a few words to say in explanation of my now moving the Amendments which appear on the Paper. The fact is, that those Amendments were only delivered at 3.40. p.m. on the day on which the Committee met, and the result was that neither I nor the noble Lord who is in charge of the Bill had the opportunity of dealing with them, or I should have done in Committee what I propose now to do in your Lordships' House. I hope that these Amendments, together with those which are proposed by my noble Friends, will bring the Bill more into harmony with the Bill as it came from the other House. A practically new Bill would, I think, be in peril of not passing into law, which, I am sure your Lordships will agree, would be a matter of regret. I thought it right to explain that, because I should be very sorry if it should be supposed I am doing anything to impair the efficiency of the Grand Committees, or that would be disrespectful either to the Committee or to my noble Friends, who have taken great pains to put the Bill into shape.

LORD HERSCHELL: My Lords, of course the Amendments which are proposed by my noble and learned Friend will be carefully considered, but I feel bound to say a word or two with regard to what my noble Friend has just said. The truth is, that when this Bill came from the House of Commons, it was in many respects rather a sketch of a Bill than a Bill. There has been no single word introduced into it in this House which has been intended in the slightest degree to affect its principle or its scope. The only object has been to make a perfect machinery where, before, a very imperfect machinery existed, and to remove the probability of difficulties and litigation, where, according to the judgment of many, those probabilities were before very great. I must confess I cannot myself think so badly of the House of Commons as for a moment to suppose that when a Bill of this sort goes back to them, with no single principle interfered with, but only the machinery made more effectual, they will dream of rejecting the Bill simply because it is made rather longer than when it left that House. Of course, if we had altered the scope of the Bill, or in any way made it a different measure in that sense to that which it was before, I could understand the view taken of it by my noble and learned Friend and those who take the same view; but unless they can show either that those provisions are unnecessary, or will be mischievious in their effect, I cannot believe that the House of Commons will reject the Bill simply because it has been made a better one in respect of its machinery.

THE LORD CHANCELLOR: I think the language of Clause 1 becomes extremely awkward and inconvenient unless the words are used which were originally in the Bill—"in England or Ireland by the High Court, and in Scotland by the Court of Session." If my noble and learned Friend's Amendments are taken, it would, I think, become necessary to make other provisions.

LORD MACNAGHTEN: On the contrary, I propose to use the definition of "Court," which is used in the Act of 1869; that is, the Superior Court which has jurisdiction to make an order for winding up the company. That will include the Chancery Court of the Duchy of Lancaster. That Court does continually make winding-up orders.

THE LORD CHANCELLOR: That is true, but it is not a Superior Court; on the contrary, it has always been excluded from the definition of a Superior Court.

LORD MACNAGHTEN: Then leave out the word "superior," and say "a Court which has jurisdiction to make a winding-up order." That is the definition of the Act of 1869.

THE LORD CHANCELLOR: I would not object to the words leaving out the word "superior."

LORD HERSCHELL: I think it would be an improvement, because, of course, the noble and learned Lord opposite intends to follow that up by another Amendment relating to the Court of Chancery in the County Palatine of Lancaster. I think there are strong objections to the clause which the noble and learned Lord opposite is about to propose which will be entirely covered by accepting the Amendment of my noble and learned Friend, because the "High Court" may apply as regards companies within the jurisdiction of the Court of Chancery of the County Palatine, and that leaves it uncertain in the case of what companies the Court of Chancery of the County Palatine might exercise its jurisdiction. I do not know what is meant by "being within their jurisdiction;" being within their jurisdiction for the purpose of winding up is quite intelligible. My noble and learned Friend confines it to that, and I think that is a proper mode of dealing with it, whether in the County Palatine or elswhere. I think that would avoid the necessity of the Amendment of the noble and learned Lord.

THE LORD CHANCELLOR: Leave out the word "superior" and insert the words "which is authorised to make an order for the winding up of the company."

Amendment moved, in page 2, at the end to insert—

"(5.) The power by this Act given to the High Court may, as regards companies within the jurisdiction of the Court of Chancery of the County Palatine of Lancaster be exercised by that Court."—(*The Lord Chancellor.*)

On Question, agreed to.

LORD MACNAGHTEN: After the words "entitled to object," in line 20, I propose to insert the words—

"And who signifies his objection in manner directed by the Court, or by rules of Court."

THE LORD CHANCELLOR: If the noble and learned Lord would omit the words, "or by rules of Court," I have no objection to that Amendment.

LORD MACNAGHTEN: Certainly.

Amendment moved, in line 20, after the word "object" to insert the words—

"And who signifies his objection in manner directed by the Court."—(*The Lord Macnaghten.*)

On Question, agreed to.

THE LORD CHANCELLOR: The Amendment I here propose is to take the place of my noble and learned Friend's. Clause 3—

"Provided that the Court may in the case of any person or class of persons for special reasons dispense with the notice required by this section."

The Amendment proposed by my noble and learned Friend is to add that—

"The Court may on special grounds dispense with any notice required by this Act."

I think that is too wide.

LORD MACNAGHTEN: I quite agree. I think it would come in better as the Lord Chancellor proposes.

Amendment moved, after line 23, to insert the words—

"Provided that the Court may, in the case of any person or class of persons, for special reasons, dispense with the notice required by this section."—(*The Lord Chancellor.*)

On Question, agreed to.

*LORD ZOUCHE OF HARYNGWORTH: In Clause 1, page 2, line 2, I propose to leave out from the word "creditors" to the end of the clause, and perhaps I may be allowed to explain to your Lordships in a very few words the object of this Amendment. The part of the clause which I am moving to have struck out is, I think, an innovation upon the Bill, as it was when it came up to us from the House of Commons. The Bill was referred, as your Lordships know, to the Standing Committee on General Bills, and a very long discussion took place upon it, extending over two days. A great deal of the discussion turned upon this very important question, and upon the important principle which is contained in it. Your Lordships are, of course, aware that this Bill provides for the alteration of a Memorandum of Association of a company; and in order to enable companies to vary the conditions on which they trade, it is pro-

vided that the new objects are to be cognate or ancillary to the original one. Then it was proposed that if there were dissentient members, they might apply to the Court to be paid off, and to have their names accordingly removed from the register of members. That is to say, if they did not approve of the proposed change in the objects of the company, they could go to the Court and say that the constitution of the company was being altered to something else, something different to what it was when they embarked in it and took their shares, and that they wanted to be paid off. It was impossible not to see the justice of that proposition, and that some provision ought to be made for those dissentient shareholders: but again and again when the question arose in the Committee, it was never quite fully answered how that proviso was to be carried into effect, because this difficulty at once arose: out of what funds are the dissentient members to be paid? It was pointed out by one or two noble Lords on the Standing Committee that they could not very well be paid off out of the existing capital, because it is against the provisions of the present law that companies should buy their own shares; companies are not allowed to purchase their own shares, and consequently they would be using the capital of the company in an absolutely illegal manner. Well, then, are the dissentient shareholders to be paid out of the profits of the company? If that were to be done it might seriously hamper the company, who might be otherwise benefited by the change. Then there was a third proposition suggested in the Committee, namely, that the assenting shareholders—that is to say, the majority—or the winning side in regard to the proposed change of aim, should in some way contribute out of their private means, or make up something in the nature of a private purse in order to pay off the dissentient shareholders. The amount to be paid might possibly represent one-fourth of the capital. I think under the Companies Act, with which this Bill is to be read, there are certain provisions laid down as to the manner in which special resolutions are to be passed, namely, that the resolution must be passed by a majority of three-fourths, and then that it must be subsequently confirmed, though on that occasion there need only be a bare majority. In any case, the one-fourth of the shareholders, who might possibly represent as much as or even more than one-fourth of the capital, might go to the Court and say, "We object to the proposed change, and we ask the Court to order that the other shareholders who have beaten us shall pay us off." At once the question arises, how is that to be done? I need hardly point out to your Lordships that if there were any idea of the majority making up anything like a private purse to pay off the dissentient shareholders, that opens out a most dangerous innovation, and would practically do away with the safeguard of limited liability, because those people who would be called upon to provide possibly very large funds in that way would, in point of fact, be saddled with a liability far greater than that which they undertook when they subscribed for or bought their shares. I think, my Lords, I have said quite enough to show the great difficulties in which this proposition would land us; and I may further say that those difficulties were very apparent to the Standing Committee. There was, as I have said, a great deal of discussion upon it, and at last the Committee came to a Division; in fact, there were several Divisions, and in the last Division this proposition was only carried by a majority of 3 in a Committee of 33; that is to say, there were 18 for the proposition, which, I think, was moved by my noble Friend Lord Balfour, and 15 against. I venture to express a hope that the House may think fit to accept the Amendment, after what has been said by the noble and learned Lord on the Woolsack, when he said it was desirable that this Bill should, as far as possible, be kept in the same shape as when it left the House of Commons. I beg, my Lords, with these few words to move the Amendment.

Amendment moved, in page 2, line 2, to leave out from the word "creditors" to the end of the Clause.

*THE SECRETARY TO THE BOARD OF TRADE (Lord BALFOUR of BURLEIGH): My Lords, I hope the House will not consent to omit these words. The noble Lord who has moved their omission has given a very full and, I believe, accurate account of what took place in Standing Committee on the subject. It is

not, therefore, necessary for me to go over the same ground. I concur entirely in saying that it would not be right that the dissentient shareholders should be paid off either out of the capital of the company, or out of any profits made by the company. I do not share the opinion of the noble Lord that the majority will suffer any hardship by being obliged, in the discretion of the Court, to find from their private means a fund whereby the dissenting shareholders can be paid off. It seems to me that if they desire the alteration to be made at all, it is not unfair to prove them by such a test as this. And I would point out that it is not to be an absolute order that they shall have to find this money; but it is only if the Court, in its discretion, shall think the objections of the minority so reasonable and well-founded that they ought to be allowed to give up their shares and to be compensated for them. As to the point that it does away with limited liability, I cannot concur in that view, because it is a matter of choice for the shareholders; there is no compulsion upon the majority to take the action which they are to be presumed to have taken before this state of matters can arise; and if their liability is at all increased, it is increased by their own action and for their own purposes, the value and benefit of which to themselves they have presumably fairly and properly considered. My Lords, I go back to the general ground on which this Bill was promoted. It is desired by this measure to relax the hard and-fast conditions which prevent the alteration of any Memorandum of Association of a company except by the sanction of Parliament: but I think the House will agree that while you relax it; is not desirable that it should be unduly or excessively relaxed, but that certain conditions should be attached. That seems to me to be reasonable, and I hope, under all the circumstances, that the House will not assent to this proposal to reverse the decision of the Standing Committee.

LORD HERSCHELL: This was a provision which was inserted in your Lordships' House, and, therefore, we need not have any tenderness in dealing with it, as we have been warned by my noble and learned Friend to have as regards the provisions contained in the Bill as it came from the other House. The noble Lord who has just sat down has said that under this provision there would be no power to pay off dissenting shareholders out of the capital of the company. I do not know why the noble Lord says so. It appears to me perfectly manifest that if the Bill is passed in this form it will be understood that there is authority to do that. The provision is that when the company is applying for this alteration, the Court may order that any shareholders dissenting from the alteration may be paid off. Who are to be the subjects of the order? The application is made by the company.

*LORD BALFOUR OF BURLEIGH: The alteration and the application to the Court are made by the majority.

LORD HERSCHELL: But it is made on behalf of the company, and when it is provided that the Court may order that the dissenting members shall be paid off, undoubtedly it would be understood to be out of the capital of the company. It must be so, because otherwise it would enable the company to diminish its capital. But that is not the case, and the Bill is clearly so drawn as that it would not be so understood. But I think the form in which it is drawn is ineffectual. Upon whom is the order to be made? Clearly against somebody. If the Court makes the order, it involves that the order is directed against somebody for the purpose of compelling them to pay. Really, what I understand by this provision is that the Court shall not confirm the new arrangement unless the dissenting shareholders are in some way or other arranged with. I would submit to my noble and learned Friend opposite that the proposal which my noble Friend Lord Macnaghten has on the Paper really meets the case, because that provides that, at the instance of the dissenting shareholders, the Court may adjourn the case in order to give an opportunity for an arrangement to be come to. That hangs the matter up until an arrangement is made, and gives the Court a control over the whole thing, so that they are not bound to carry out the arrangement unless they think fit to do so. If the people who propose the alteration think it worth their while to go on, it would, surely, be worth their while to arrange for paying the dissenting shareholders, and then the matter could be completed. That is surely a much

better way of doing it than by saying the Court can make an order that these people shall be paid off without saying how the order is to be enforced.

THE LORD CHANCELLOR: I think, even with my noble and learned Friend's Amendment, there may be some little difficulty about it, because the Amendment, as it stands at present, does not say that the Court is to make the order if an arrangement has not been made. It is, I think, rather vague language—that the Court may

"Adjourn the proceedings in order that an arrangement may be made to the satisfaction of the Court for the purchase of the interests of dissentient members."

If the meaning of the section is that the order is not to be made unless that is done, I can understand it. Words to that effect might, perhaps, be added to get rid of the objection.

LORD MACNAGHTEN: You might add that if the Court is not satisfied it may dismiss the application. But I think that is unnecessary, for it seems to me it follows. Evidently it is quite within the discretion of the Court whether it will confirm the order or not, and if no arrangement was made, of course the Court would reject the application. I think, therefore, that would meet the case; but I should not object to adopt the Amendment suggested by the Lord Chancellor.

*LORD ZOUCHE OF HARYNGWORTH: The House will understand that I had not the opportunity of reading the Amendments to be moved by the noble and learned Lord Macnaghten. I must say that I think it would be better for that Amendment to be adopted instead of mine. In fact, mine would be quite covered by that; and therefore I would ask the House to allow me to withdraw my Amendment, on the understanding that the noble and learned Lord's Amendment shall be considered.

LORD HERSCHELL: I think it would be better to leave the words exactly as they stand, and not to add the further words now.

THE LORD CHANCELLOR: The language is rather vague.

Amendment (by leave of the House) withdrawn.

LORD HERSCHELL: Then you might add—

"And the Court in the event of no such arrangement being come to, may refuse to confirm the alteration."

The Court would not sanction the scheme.

LORD MACNAGHTEN: As my noble Friend Lord Zouche has withdrawn his Amendment I will move mine.

Amendment moved,

In page 2, leave out lines 3 and 4, and insert "adjourn the proceedings in order that an arrangement may be made to the satisfaction of the court for the purchase of the interests of dissentient members; and the court may give such directions and make such orders as it may think expedient, for the purpose of facilitating any such arrangement or carrying the same into effect; Provided always, that it shall not be lawful to expend any part of the capital of the company in any such purchase."—(*The Lord Macnaghten.*)

Agreed to.

Clause, as amended, agreed to.

Clause 2.

THE LORD CHANCELLOR: I propose to omit this clause, but I think it is rather a matter of drafting as between my noble and learned Friend and myself. What I propose is, that something should be added later. I quite understand the object of his clause is to take care that the proceedings taken for the confirmation should be made public, but I think it is possible to provide for this in another form. I entirely sympathise with that view, and I think if, at a later stage of the Bill, one were to put at the end, "being confirmed by the Court upon petition," or some similar words, that would effect all he desires much better. The reason I object to the 2nd clause as it stands is that it imports that any application to the Court must be by petition. As my noble Friend knows, an application by petition is a much more expensive form of procedure than an ordinary application to the Court, and I think his object would be carried out by omitting this clause and putting in the words I have suggested at a later stage of the Bill.

LORD HERSCHELL: They might come after line 11, in Clause 4.

LORD MACNAGHTEN: I quite assent to that.

Amendment moved, "To leave out Clause 2," agreed to.

Clause 3 agreed to.

Clause 4.

LORD HERSCHELL: I would ask my noble and learned Friend to consider at a later stage whether, with regard to the framework of the Bill, especially in view of the provisions with regard to alterations, it might not be well to make this an additional sub-section of Clause 1. It is really a consequence of the other provision, and would, I think, be much better put in there. It would also be more in conformity with the Bill as it came up to this House, and would read better altogether.

THE LORD CHANCELLOR: I think so.

LORD MACNAGHTEN: I have an Amendment upon this clause, at page 2, line 18, after the word "Company" to insert "or to restrict or abandon any of the objects specified in the memorandum of association;" but I do not know that it becomes necessary now.

THE LORD CHANCELLOR: Then the next Amendment I have is to move to leave out lines 19 and 20, in this clause. They are the last two lines of that clause, that the Court may, by order, confirm the alteration in the cases mentioned,

"or in any similar or analogous case where the Court thinks it reasonable and proper that the alteration should be confirmed."

I confess I am very jealous of those words: I do not know what is "similar" or what is "analogous"; and I do not know what it is that the Court may "think reasonable or proper," under the circumstances. That seems to me to leave a wide field open. My noble and learned Friend has, it appears, gone through the whole matter with great care, and he appears to have swept up a great deal in those general words, leaving to the Court the duty of their interpretation. I suppose this is inserted in substitution for the expression "cognate and ancillary," which I think some of us have had great difficulty in understanding. I think it is much better to leave out these other words, which are, I think, too wide, and would, it seems to me, cause great difficulty if the Judge is to be called upon to interpret them.

LORD MACNAGHTEN: I believe I included everything I could think of, but, of course, I was not vain enough to think that I had included everything which might occur. I would point out that the words to which the Lord Chancellor has objected occur in the Companies' Act, 1862, and they have always been interpreted without any difficulty; but if my noble and learned Friend thinks they had better be omitted I have no objection.

Amendment moved, "To leave out lines 19 and 20."—(*The Lord Chancellor.*)—Agreed to.

Clause, as amended, agreed to.

Clause 5.

THE LORD CHANCELLOR: I propose the omission of this clause. The only reason I object to it is that no such authority is required. Does my noble Friend not know that by order the Court can deal with costs? The Court has complete authority over costs and everything else.

LORD MACNAGHTEN: I am sorry to say I know quite the reverse.

THE LORD CHANCELLOR: Then it becomes a serious matter, and a matter of substance if Order 65 of the Judicature Act is supposed not to give complete and absolute authority to the Court as to dealing with costs. I think it does; but certainly if there is any doubt to be thrown on Order 65, it ought not to be disposed of in effect by this Statute, but by some amendment of the Judicature Act. In my view, however, absolute discretion in that matter is given already to the Court.

Amendment to leave out Clause 5.—(*The Lord Chancellor.*)

LORD MACNAGHTEN: I am sorry to say that the Court of Appeal has taken a different view to that which my noble Friend takes in the case of *re* Mill's Estate. That was a decision of a very strong Court, consisting of, I think, Lords Justices Cotton, Bowen, and Fry. There it was held that the rules of the Judicature Act and Order 65 of the Supreme Court do not enable the said Court to order payment of costs by a person who before that Act came into operation, could not have been ordered to pay them; and then it goes on to say—

"The effect and intention of those orders being not to give any jurisdiction with regard to costs, but only to regulate the mode in which costs are to be dealt with in cases in which the Court had, antecedently, jurisdiction."

LORD HERSCHELL: I think that makes it rather too doubtful for us to leave any doubt upon the matter. I have not carefully considered the matter, and, therefore, should not like to bind myself to an opinion, but it seems to me that when you are giving a new and independent jurisdiction to the Court, and have to deal, therefore, with an entirely new matter, it is very doubtful whether the general words of the Judicature Act would enable costs to be given. I would suggest to my noble and learned Friend, as I can understand his desire not to alter the Bill more than is necessary, that he might in that clause say, "subject to such conditions as to the Court may seem fit, and the Court may on any such application make such order as to costs as to the Court may seem right;" and then add the provisions as to costs to the 3rd sub-section of the 1st clause.

THE LORD CHANCELLOR: I confess my object was not so much in regard to lengthening the Bill as to casting doubt on Order 65. However, I will accept that as being the decision of the Court of Appeal at present. Whether it is a decision which would commend itself to your Lordships when sitting in another capacity I cannot say; but, in order to get rid of any difficulty on the subject, I think, what my noble and learned Friend opposite has suggested would be sufficient.

On Question, "That the Clause stand part of the Bill," agreed to.

Clause 6 agreed to.

Clause 7.

THE LORD CHANCELLOR: It is quite unusual, I think, to make a penalty absolute, I propose, therefore, to insert the words "not exceeding."

LORD MACNAGHTEN: I think they were all fixed penalties in the earlier Act.

THE LORD CHANCELLOR: Probably it would be better not to allow that to remain.

Amendment moved, in page 3, line 8, to leave out the word "of" and insert the words "not exceeding."—(*The Lord Chancellor.*)

Agreed to.

Clause, as amended, agreed to.

Clause 8 agreed to.

Clause 9.

THE LORD CHANCELLOR: Now, my Lords, I move to omit this clause. It is entirely beyond the scope of the Bill. Some of the persons who introduced the Bill into the House of Commons have written to me to say they entirely object to this clause, and several of your Lordships have called attention to the absurdity of it. I quite agree that my noble and learned Friend has reduced it into something like sense; but the reason I object to it is that it is entirely beyond the scope of the Bill, and I think would give rise to very serious discussion. I, therefore, propose to omit it, because it has no reference to the matter which was before the Joint Committee. They did not desire to make such an alteration in the law, and it appears to me undesirable to introduce a provision which is alien to the object and purpose of the measure.

Amendment moved, "To leave out Clause 9."—(*The Lord Chancellor.*)

LORD MACNAGHTEN: I only desired to retain the clause in order to make other parts of the Bill intelligible, but if the Lord Chancellor thinks it should be omitted I assent.

LORD HERSCHELL: I, too, should agree if we could be perfectly sure that the other House would not dissent from our striking out this clause. I have no wish to see it, and certainly, in the form in which it came before your Lordships' House, it would not be worked. I think this has now been made a clause which would work, but I quite admit it is not one which is very close to the purpose and object of this Bill, and striking it out will also reduce the Bill more to the proportions which it had when it went to the House of Commons, which, according to my noble and learned Friend, is a desirable object. I, therefore, should assent to its being left out.

On Question, "That the Clause stand part of the Bill," negatived.

Title.

THE LORD CHANCELLOR: I have an Amendment to the title. It is to insert after "certain" the words "instruments under which they may be constituted or regulated," leaving out the words "memoranda of association." I am sure I do not know whether

"memoranda" has so far become a word in the English language as to justify its being used in that way.

Agreed to.

Bill reported, with Amendments.

LORD BALFOUR OF BURLEIGH: Would it suit the noble and learned Lord opposite to take the Report of Amendments on Tuesday next?

LORD HERSCHELL: Yes.

Report of Amendments to be received on Tuesday next; and Bill to be printed, as amended (No. 162).

ORCHARDS RATING EXEMPTION BILL. (No. 149.)

SECOND READING.

Order of the Day for the Second Reading, read.

*VISCOUNT PORTMAN: My Lords, in moving that this Bill be read a second time, I may, perhaps, be allowed to explain, as briefly as possible, the object of the Bill. Shortly stated, its object is to put orchards upon the same footing as woodlands, gardens, and nursery grounds with regard to rating for sanitary purposes.

Bill read 2ª (according to order), and committed to a Committee of the whole House on Tuesday next.

DEEDS OF ARRANGEMENT BILL. (No. 106.)

House in Committee (on Re-commitment) (according to order); Bill reported without further amendment; and to be read 3ª To-morrow.

BARRACKS BILL.—(No. 163.)

BOILER EXPLOSIONS ACT, 1882, AMENDMENT BILL.—(No. 164.)

DIRECTORS LIABILITY BILL.—(No. 165.)

INLAND REVENUE REGULATION BILL.—(No. 166.)

MARRIAGES IN BRITISH EMBASSIES, &c. BILL.—(No. 167.)

METROPOLIS MANAGEMENT AMENDMENT ACT (1862) AMENDMENT BILL. (No. 168.)

PUBLIC HEALTH (SCOTLAND) ACT, 1867, AMENDMENT BILL.—(No. 169.)

Brought from Commons; read 1ª; and to be printed.

Lord Halsbury

SUPREME COURT OF JUDICATURE (PROCEDURE) BILL.

Brought from the Commons; read 1ª; to be printed; and to be read 2ª on Thursday next.—(*The Lord Herschell*). (No. 170.)

IMMIGRATION OF ALIENS.

*THE EARL OF DUNRAVEN, in moving for a Return of the number of vessels arriving at the Port of London from the Port of Hamburg between 1st January and 1st July, 1890, stating in how many cases Reports were furnished respecting aliens; and to ask Her Majesty's Government what information is given in such Reports, and what steps, if any, are taken to ascertain whether aliens are on board in cases where no Report is made, said: My Lords, I scarcely think it is necessary for me to trouble your Lordships with any remarks in justification of the notice of Motion and the question which appears on the Paper in my name. Her Majesty's Government stated last Session that steps would be taken to obtain statistical information as to the number of aliens coming into this country, or, at any rate, coming into certain ports in this country, and I presumed that information would also be obtained as to the destination, origin, circumstances, trades, and conditions of those aliens. It appears to me that it would be convenient to the House and to the country, and desirable that Returns giving such information as has been gathered should be furnished for the past half-year. It is very desirable that information of this kind should be collected; but I need not point out to your Lordships that in a matter of this kind statistics are not only useless, but are much worse than useless; they are absolutely misleading, unless they are full and complete, and, above all, accurate. There must be no possibility of exaggeration on the one side, and on the other side nothing should escape the official eye. I do not think, my Lords, that this House or the other House has been given any information as to the Returns which masters of vessels are required to furnish, or as to what steps are taken to see that Returns are furnished in all cases, or further, whether any steps are taken to ascertain whether aliens are on board vessels or not in cases where

no Returns are given. I beg, therefore, my Lords, to move for a Return of the vessels mentioned in the notice. I have confined my Motion to the ports of inquiry to the Ports of London and Hamburg; but I need not say that if the Government can supply us with wider information embracing other ports, I shall have no possible objection to their doing so.

Moved, "That there be laid before this House a return of the number of vessels arriving at the Port of London from the Port of Hamburg between 1st January and 1st July, 1890, stating in how many cases reports were furnished respecting aliens."—(The Lord Kenry, *E. Dunraven and Mount-Earl.*)

*THE EARL OF MEATH: My Lords, I am very glad to hear the noble Earl ask this question, but I wish he had included some other ports. I understand the reason he has only asked for a Return as to London is that, I believe, some 90 per cent. of the immigrants do arrive in the Port of London; but still there is another 10 per cent. to be accounted for, and I think it is of importance we should have information with regard to those who arrive at Leith, Glasgow, Liverpool, and Hull. I believe that the noble Earl desires a good deal more than actually to obtain the information he has asked for. I presume his object is to seek some further legislation. Of course, I am not aware whether that is his desire, but at all events it is my desire, and I sincerely hope that something will be done to stop this immigration of foreign paupers into this country. We have had a good deal of evidence before the Sweating Committee with regard to the evil effects of the immigration of these paupers from Russia, Germany, and Poland; and although the Report which was presented to your Lordships' House does not lay as great stress as I should wish it had done upon this particular point, I think it will be conceded that a great deal of suffering is entailed upon the working classes of this country owing to the competition which they have to meet in consequence of the immigration from Russia, Germany, and Poland. The average number of immigrants who land in this country annually is, I believe, 30,000, and the bulk of that number are Polish Jews, who come here with scarcely any money in their pockets. A great deal of very useful information has been obtained in this matter by a gentleman who appeared and gave evidence before the Sweating Committee of your Lordships' House—I allude to Mr. Arnold White. He took a great deal of trouble in going down to the East End of London and to the Docks to find out all he could with regard to the immigration of these foreigners, and upon one occasion he brought up to the Committee of your Lordships' House 50, chosen at random, who had just arrived from Hamburg. Out of those 50 men, there were 15 who had arrived on these shores without a penny in their pockets, and there were 14 who had arrived without a knowledge of any trade whatever. Now, is it fair upon our own working men that these victims of oppression, for, as a general rule, they come from Russia and Poland, and have been driven out by persecution, being Jews, should be allowed to make use of this country as an asylum, if by doing so they create poverty and misery among our own working people? Of course, I know the argument put forward will be that the traditions of England will not permit us to refuse an asylum to any individual; and I am perfectly willing to accede to that as long as by receiving these people we do not do an injustice to our own population. But I believe that charity begins at home, and that as long as it can be shown—and I think it can be clearly shown—that our working people are suffering from the immigration of these foreign paupers, we ought to put sentiment on one side and consider their interest first. The wages of some 160,000 families (and supposing each family to consist of five persons, that represents some 800,000 people) are depressed from the very fact alone of the influx of these 30,000 foreign paupers annually. Not only do they cut down the wages of our working men and women—and it is the women that I principally feel for—to starvation point; but besides that, their habits are not such as our working classes are accustomed to, and I think it will be acknowledged by all who have lived in those districts and have come in contact with that class that they are dragging down our own working class population physically, and I may say morally. I have no desire whatever to throw a shield of protection round the drunkard or the

idler, or the individual who cannot, or will not, learn a trade. I do not wish in the smallest degree to favour my own country people when the competition is a fair one, but I do certainly say that we are not behaving rightly to our own working population and their wives and children in permitting foreigners who are accustomed to a lower standard of life than our countrymen to come as unskilled paupers into this country and to undersell the labouring classes in this country. One circumstance which shows that even foreign nations, through which these people pass, are astonished at our leniency in this matter, and are certainly not disposed to imitate it is, that when a few years ago the Jewish Board of Guardians and others in London were in the habit occasionally of sending Jews, who had come to this country without money, back to Germany and to Russia, a Police Order was issued at Hamburg forbidding foreigners to come into Germany unless they had a through ticket to Russia, or unless they were able to maintain themselves in Germany. Now, what does that mean? It means that the Authorities of Hamburg will send over to this country paupers whom they will not receive when sent back again a few days afterwards. The Americans do not allow us to send over paupers to that country, and, in my opinion, quite rightly. By an Act passed in 1882, it is stated that if, on examination by the officers, whose duty it is to go on board any ship and examine the condition of the passengers, they shall find among such passengers any person unable to take charge of himself or herself without becoming a public burden, they shall report the same in writing to the Public Collector or officials of such port, and such person shall not be permitted to land. Now, I do hope that we in this country will take some step of that sort. Our colonies would not permit us to send over to them paupers. They are at this moment too far away to be affected by an influx of paupers from Europe; but they legislate against the introduction of the Chinese, and they place a Poll Tax upon each Chinaman who enters the country. Of late this subject has come a good deal under my attention, owing to my being Chairman of an Association which endeavours to persuade the Government to assist colonisation; and although this Association has received the support of some 130,000 working-men belonging to Trades Unions, whenever we have received a rebuff from Trades Unions it has almost invariably been owing to the immigration of foreign paupers. They ask us, "What is the good of your recommending working-men to be sent out of this country, and sent off to America or to the colonies if for every man who is sent out, as is now the case, two foreigners come into this country?" And it is an argument which is exceedingly difficult to meet; in fact, it is impossible to meet it, and, therefore, gradually it has been forced upon my attention until the conviction has grown in my mind that if we desire to improve the condition of the working classes in this country, and to assist the poorer classes to emigrate to our colonies, or to colonise elsewhere, we must at the same time do something to prevent this country from becoming the dustheap of Europe.

*LORD BALFOUR OF BURLEIGH: My Lords, I cordially acknowledge the great importance of the subject which the two noble Lords who have just spoken have brought before the House. I also acknowledge the promise upon the part of the Board of Trade to get as accurate information as possible as to what is really the existing state of matters with regard to this foreign immigration, and I think I shall be able to show your Lordships that that promise is in process of being fulfilled in spirit and in letter. I have also to acknowledge the promise to make the information public as soon as it can be put into a form which would be practically useful for any purpose. I do not propose to follow the noble Earl who spoke last into the important question of policy which he raised. I will just say this, that undoubtedly there were Acts in force during the Continental Wars at the beginning of the present century prohibiting aliens from landing on our shores. Those Acts were subsequently, after deliberate and long discussion, repealed, and undoubtedly there would be great difficulties in re-imposing disabilities upon people landing upon our shores. However, these are important matters of policy upon which I should not like to express a definite opinion without grave consideration and preparation. The real matter with which

we are concerned this evening is the question of getting accurate information upon the subject. With regard to that, I will, with the permission of the House, state the exact position of matters at present. There is, I venture to think, some misapprehension in the mind of the noble Earl who has moved for the Return as to the use of the word "Report." The documents which are technically known as Reports would not, I think, be of great service to him. What the noble Earl no doubt really wants are the "alien lists." The Reports of ships are Customs documents, and they include a great number of things. I hold one of them in my hand, and it includes information as to the cargo carried, the stores, at what station the ship is lying, information which is important only to the Customs, and which is not necessary for the purpose which we have in hand to-night. But one of the things which has to be included in those Reports is a statement whether there are any alien passengers on board the ship. If there are any alien passengers on board a ship then, by an Act of William IV., a list of them is to be furnished to the Custom House Authorities, with the names, rank, occupations, and other descriptions of the persons so mentioned. The furnishing of those lists of aliens had, up to the beginning of the present year, fallen into desuetude, and was only in force as regards the Ports of London and Hull, and even the lists from those ports were sent to the Home Office, and not to the Board of Trade. But for some months past all the Reports from the ports of London and Hull have been sent to the Board of Trade, and have been there carefully tabulated and examined, and, so far as those ports are concerned, if the noble Earl will refer to the Report which was furnished to both Houses of Parliament on the 21st March of the present year, upon emigration and immigration, at page 31 he will find some important information as regards those ports and the number of aliens who come into the country through them. It must be borne in mind that as far as the port of Hull is concerned a large number of those who come to that port went across the country, and on to America. I think the noble Earl who spoke from the Cross-Benches has largely overstated the number of the immigrants who remain. There is no information which we have which would lead us to believe there are as many as 30,000 of them coming into this country annually. Up to the end of last year there was, as I have stated, only information in possession of the Board of Trade as regards the ports of London and Hull, but during the last spring, in fulfilment of the promise given by the Board of Trade, those lists of aliens have been called for from the following ports, and have been regularly sent in: Aberdeen, Bristol, Belfast, Dublin, Goole, Grangemouth, Glasgow, Greenock, Burnt Island, Leith, Liverpool, Birkenhead, Queensborough, Sunderland, Newcastle, and North and South Shields and others. So that I think your Lordships will see, so far as the collection of information goes, we had in anticipation endeavoured to get and are getting even more than the noble Earl has asked for, a Return of the number of vessels as between London and Hamburg, and I venture to suggest to him that all the information that would be got from that is given in a convenient form at page 31 of the document to which I have referred. I would venture to suggest to him that it is not desirable to call for a Return at the present time—the present system has only come into operation quite recently—it would be better to wait until the immigration and emigration statistics for the present year are published, which will be early next year. The Statistical Department of the Board of Trade are now engaged in studying and tabulating those Returns as they come in, and it is their intention to include in their next Report a full account of the results arrived at. Our endeavours to get accurate information do not stop there, because it is obvious that aliens may come in by other ways. They may come in by some of the cheaper route passenger steamers, and reach the Metropolis or other large towns in this country by means of the railways. We have, therefore, asked the railways which run between London and the ports to furnish us with the number of second and third class tickets to and from London, and if there appears to be a large excess coming into London over and above those going away steps will be taken to find out whether it is caused by

any large immigration of aliens by that means. As regards the final question upon the Paper, whether any effort has been made to test the accuracy of the information given in such Reports, I have to reply in the affirmative, and say that the Customs Authorities are doing their best to ascertain whether there is any reason to believe that the provisions of the Act are being evaded, and, in addition to that, the Board has given instructions to our Consuls at Hamburg and other ports abroad to report when aliens arrive at them, and, if there is any ground for believing that aliens of the poorer class are being shipped from those ports to this country, to give such information to us here as will enable us to check the information upon this side. Under all these circumstances I would urge that the Motion should not be pressed on the present occasion, and I repeat the pledge that as soon as any information likely to be useful in a statistical form is obtained, no time shall be lost in placing it before Parliament.

LORD THRING: Perhaps the noble Lord will be good enough to state whether an accurate account is kept of the emigration of aliens? Because, from the evidence given before the Sweating Committee it appears questionable whether the immigration is not counterbalanced by the emigration; in other words, whether England was not simply used as a means of transit for emigrants *en route* to America. I would only refer to the evidence of one witness, Mr. Stephany, the Secretary to the Jewish Board of Guardians, who stated that the emigration of the Jews was fully equal to the immigration. I think I ought to state, in justice to the Jewish Board of Guardians, that although Jews may be landed in England in very poor circumstances, yet they never fall upon the rates, because they are entirely supported by their own community.

*LORD BALFOUR OF BURLEIGH: My Lords, there are two sides to that question, and I would rather not open a discussion upon it at present; but the mere fact of the liberality of the richer portion of the Jewish community has been suggested as attracting these people to England. As to the question whether any reliable statistics can be got as to the emigration of aliens, I am afraid there is no statutory power that would enable that to be done at present; but if any means can be employed to obtain that information, I will see whether it can be done. I would rather not give any pledge upon the subject until we see whether that can be done or not. As regards Hull, we are in a position to say, and can prove it if necessary, that a large number of aliens are in the habit of coming to Hull on their passage across the country to Liverpool and thence to America.

*THE EARL OF DUNRAVEN: My Lords, I quite agree with my noble Friend who has spoken for the Government that it is not desirable; in fact, I think it is impossible now to go into such a large question as whether the emigration is larger than the immigration into the country. The noble Lord opposite, Lord Thring, seems to consider that there is a considerable stream of very poor and even destitute foreigners who come here, and, at all events for a short time, reside in England, and after residing here a few months, may be passed on by the richer portion of their community to America. That is not a very satisfactory state of things, even if true. I cannot say whether it is true or not, but it is a matter which would require considerable time to discuss. After what the noble Lord has said on behalf of the Government, I will withdraw this Motion. I have heard with the greatest satisfaction what has fallen from the noble Lord's lips as to the intention of Her Majesty's Government to furnish Parliament and the country as soon as possible at the beginning of next Session, with full and accurate information on this most important subject. The only point I did not clearly understand was whether in these alien lists, which the noble Lord has referred to, any mention is made of the material condition of the people, and whether they have any means of support, either in money or the knowledge of any handicraft or trade which is likely to enable them to make a decent living in this country. That is a point upon which I think the noble Lord might be able to give information; also whether there is any kind of penalty attaching to masters of vessels who fail to return the numbers of aliens on board. Of course, when I

asked for these Reports I did not mean the regular Reports furnished to the Customs; the words in my notice are Reports respecting aliens. I did not know the proper term to use; but the noble Lord has explained that they are termed "alien lists." But as I understand the noble Lord to say that steps are being taken to see that these regulations are not evaded, I should be anxious to know if he can inform me whether there is any way of punishing masters of vessels who in their Reports to the Custom House omit to state that aliens are on board their vessels. My noble Friend on the Cross Benches has mentioned the question of the emigration of our own working classes. I cannot, of course, go into that now. I should, however, like to refer to the figures given of the foreign immigration in reference to the steps taken by the Government. My noble Friend estimated them at 30,000 annually; the noble Lord below me (Lord Balfour), considers that figure to be an excessive one. Now, that is the very point on which we want information—we want to know what the number is. Whether that number be too large or too small I do not know; but if my memory does not fail me, Mr. Lindsay, the chief of the Long Room at the Custom House, in his evidence before the Select Committee on Emigration and Immigration (Foreigners), stated that in his opinion one line of steamers alone landed 400 of these destitute foreigners every week at Tilbury Docks. He estimated that 100,000 of these people arrived annually at our shores *to remain*, and was informed that, as a rule, they settled at the East End of London. On the other hand, in the evidence of an official from the Home Office, they were estimated at about 98,000. That, my Lords, is the great reason why I am so very anxious that accurate statistics should be furnished, and why I am so very pleased to hear that Her Majesty's Government are taking steps to furnish Parliament with accurate information as soon as possible.

*LORD BALFOUR OF BURLEIGH: With regard to the numbers, they were in 1887-8 9,194, landed from all ports, in London; in 1889, 9,846; that is from the German ports to London. In regard to Hull in 1889, the total number was 41,960, as compared with 63,116 in 1888; but the whole of those, with the exception of 234 in 1889, and 295 in 1888 went over to America. If we take the number, therefore, to be slightly in excess of 9,000, I think that is probably near the mark. With regard to the question whether any means exist of enforcing the penalties which are imposed for failure to make Reports, I beg to inform the House that the Statute of William IV., which I referred to before, finishes by stating that if any master of a vessel refuses to make such declaration, or makes a false declaration, he shall for every such offence forfeit the sum of £20. A further penalty is imposed for every offence if the master shall wilfully refuse to make the declaration. That appears to me to be sufficiently stringent to meet the case.

*THE EARL OF DUNRAVEN: May I ask is the Statute put in operation in that respect?

*LORD BALFOUR OF BURLEIGH: I am not able to say whether it is put in operation; but the Customs House Authorities have been instructed to see whether there is any ground for believing that it is evaded. With regard to the particulars which are given, the Christian names and surnames are given, and the profession and native country. There is nothing given as to the circumstances of the immigrant; and I must say it is extremely difficult to get accurate information as to the circumstances. Some might say they were independent, and others might not give correct particulars, and there are no means of testing that. If the noble Earl would like to see what the Reports are, I have copies of them here.

*THE EARL OF MEATH: I am informed, I do not know whether rightly or wrongly, that in some of these Returns when information has been given of these immigrants, only the head of the family has been put down, and not the children. Of course, if that is the case it would account for the discrepancy in the figures given in evidence before the Sweating Committee.

Motion, by leave of the House, withdrawn.

THE ROYAL NAVAL RESERVE AND ARTILLERY VOLUNTEERS.

QUESTION—OBSERVATIONS.

LORD BRASSEY, in rising to call attention to the state of the Royal Naval Reserve and Artillery Volunteers, and to ask whether officers, seamen, and stokers of the Reserve will be embarked in the fleet during the forthcoming manœuvres, said: My Lords, in putting this question to the Government, with reference to the Naval Reserve, it is not necessary for me to trouble your Lordships with many remarks. It is obvious that in any emergency we must be largely dependent on the Mercantile Marine for the manning of the Navy. The Royal Naval Reserve is an essential element of the Naval Force of the country, for it is impossible to maintain in peace all the men required for the Navy in time of war. There must be a reserve both of officers and of seamen in the Merchant Service. In time of war we should be short of lieutenants, short of experienced engineers and firemen, and short of seamen. The first point which I desire to press on the Admiralty is the necessity of making the lieutenants' list of the Royal Naval Reserve thoroughly efficient. Every officer whose name is retained on the Active List of lieutenants of the Royal Naval Reserve should be capable of doing duty at sea in a junior rank, and every officer whose name is retained upon the Active List should be called upon periodically to serve afloat in Her Majesty's Fleet for a short time or to go through a short course of gunnery in the gunnery establishments of the Navy; that is, on the *Excellent* or the *Cambridge*. In the Medical Department it is evident we shall be essentially dependent upon the Mercantile Marine for the supply of experienced men in any time of emergency. On the question of the mobilisation of the Navy, I would mention that last year 3,000 additional stokers were required for service afloat. In point of numbers the reserves in the ports were equal to the demand; but many inexperienced men were embarked, and a severe strain was thrown upon the officers responsible for the effective working of the machinery of Her Majesty's ships engaged in the manœuvres. I would urge that every year reserve stokers should be called out for duty during the annual mobilisation. A certain number of stokers of the Naval Reserve should be called out for service. At present even a limited number of experienced men would be of great value to the raw hands on board the ships and would give useful instruction to the newly-entered men from the naval ports. The arrangements for calling out stokers of the reserves should be worked out in consultation with leading shipowners. In connection with this subject, I would submit to the Admiralty that it is exceedingly desirable to secure for the young engineers, and for the newly-entered stokers of the Navy more opportunities for gaining experience in running powerful machinery at high speeds and for long distances in all states of weather, and I would suggest that arrangements should be concerted with the owners of the finest steamers in the Mercantile Marine by which the young engineers and the less experienced stokers entered for the Navy might be enabled to serve in their finest merchant ships for limited periods. Turning to the seamen of the Naval Reserve, I desire to ask the Government whether it would not be possible that some men from the Reserve should be called out on the occasion of the mobilisation of the Fleet. A short period of service in the Navy occasionally would be valuable to the Reserve men both as a training and as a reminder of the very serious obligations they had taken to serve in the Fleet when called upon; and I venture to add that if they were occasionally called upon for service, it would be an encouragement to them as giving a proof of the confidence felt at the Admiralty in the efficiency of the Naval Reserve. From an Admiralty point of view I hold that the calling out of a certain number of seamen of the Naval Reserve from time to time would be useful both as a test of their efficiency and also as suggesting improvements when weak points are discovered. Now, I will pass on to say a few words with regard to the Royal Naval Artillery Volunteers. That force was first called into existence when Mr. Goschen was at the Admiralty, and in answer to his appeals to the patriotism of the men both in London and Liverpool. All the admirals who in succession have held the office now so ably filled by Sir George Tryon have

reported favourably on the force Patriotic feeling has not been wanting and I think it is no exaggeration to say that in the last year 3,000 additional volunteers might have been enrolled if the Admiralty had been disposed to avail itself of their services. All offers of services were refused, however, by the Admiralty, and mainly, it was assumed, because no scheme had been matured for utilising in any effective way the services of the new force. The consequence is, that the force barely holds its own, and now stands at less than 2,000 men. In many ways the Volunteers might be valuable. They could relieve the coastguard in the duty of watching the coast and transmitting information. They could help to man the coast defence vessels whose crews would be wanted in time of war to make good the wastage in our sea-going battleships and cruisers. Many of the Volunteers could do duty as gunners in a sea-going ironclad. I would strongly urge that the whole question of the organisation of the Naval Volunteers should be carefully considered at the Admiralty with a view to putting the force on a permanent footing; and I have no doubt that upon consideration of the subject, it would be found desirable that the Naval Volunteers should be assimilated rather to the Marine Artillery than to the Seamen Gunners of the Navy. I think the Volunteers should be re-organised and placed on a permanent footing as a corps of Marine Artillery. No doubt the Volunteers have taken a pride in considering themselves a reserve to the Seamen gunners of the Navy, and the changes I suggest might deprive the present force of some of its most enthusiastic members; but I venture to say it is possible to make too large a concession to sentiment. At an earlier period of the Session I had placed on the Paper a notice of Motion with reference to the Colonial Naval Reserves, but on reflection it seems undesirable to press the Admiralty to take any initial steps. It is obviously, however, most desirable that the Colonial Governments should undertake the organisation of Naval Reserves for themselves, and it might be intimated through the proper channels that, should steps be taken for that purpose by the Colonial Governments, the Admiralty are ready, as I feel sure they are, to render them assistance whenever it is sought. I have no wish to impute to the present Admiralty indifference to the Naval Reserves. On the contrary, they have done a great deal to promote the efficiency of that force, and I have much pleasure in making that well-deserved acknowledgment to the Government. I beg to ask the question of which I have given notice.

*LORD SUDELEY: My Lords, I am very glad that this question has been brought forward by my noble Friend, for the subject is one of enormous interest to this country in case of war, and certainly no one is better fitted than Lord Brassey to go into the question. I most cordially concur in everything that has fallen from my noble Friend. It is most desirable, on all grounds, that when the mobilisation of the fleet takes place in the summer of every year a large number of officers and men from the reserves should be brought on board for a certain amount of training. It is very important that we should have as large a contingent as possible of officers, seamen, and stokers so employed. It is most desirable that in time of peace the Navy should be made to harmonise as far as possible with our mercantile marine. It would be very unsatisfactory if, when we had suddenly to expand our fleets, we should find our Naval reserves in the state, which is so often the case, of raw and untrained levies. I quite agree, as my noble and learned Friend has said, a great many difficulties have been overcome by the Admiralty, and they are very much to be congratulated upon a great deal they have done, and the Admiralty certainly deserve to be specially congratulated upon the arrangements they have made for inducing a number of officers from the merchant navy to serve in our ships for a whole year's training. But, while I say that I should also like to say that I hope they will go a step further, it would be most desirable to have double the number of lieutenants and sub-lieutenants on the list as being held in reserve. There are at present, I believe, 106 lieutenants and 209 sub-lieutenants. That is all very well, but in time of war undoubtedly we should want a very large number of lieutenants and sub-lieutenants. I think

it most desirable that these numbers should be at least doubled, and I sincerely hope steps will be taken to double them. In regard to our reserve seamen, there is one point which I think has been forgotten, and which I should like to mention. So far as I can understand, we give a retaining fee to our seamen in the Merchant Navy witout taking sufficient care to see that any misconduct would forfeit it, and I have heard a good many times in the Mercantile Marine that the Naval Reserve men are not looked on with satisfaction with which they ought to be looked upon. It frequently happens on large merchant passenger steamers that seamen who belong to the Royal Naval Reserve are apt to give themselves airs and become somewhat troublesome, knowing that, whatever happens, they will have their pay in the Naval Reserve. It appears to me that if a seamen misconducts himself he ought to be taken off the Reserve List. It appears to me that if it were distinctly told them that their retaining fee depended upon the character of their discharges this difficulty might be easily overcome. It is a small matter, but one hears the complaint so constantly that I thought it ought to be mentioned. There is, however, one question of great importance. Your Lordships are aware that our ships are no longer what they used to be. They are, in the present day, nothing more or less than huge gun carriages with an enormous amount of expensive machinery in them, most of them without yards and without sails. I apprehend that, although it is undoubtedly necessary to have a large number of executive officers and men, it is, as my noble Friend said just now, of even greater importance that you should have a large number of competent engineers, mechanics, and stokers ready. If you have not you may depend upon it you will not be able to exert the same force that you otherwise would, and the ships would be absolutely powerless in time of war. No retaining fee whatever is given to engineers or assistant engineers to go into the Reserve. As a matter of fact, there are only at this moment 60 engineers on the list, and instead of there being an inducement to them to take a commission it is a question rather of money out of pocket. If you look at the mercantile marine there is no doubt you have a splendid reserve of officers of the highest quality and capacity as engineers. In our great passenger ships the engineers are accustomed to very excellent work; they run at high rates of speed; they steam on day after day, and it is very rarely if ever that you hear of any accident happening. This, I think, proves that these men are of undoubtedly high character and ability. My Lords, it seems to me, that it is suicidal in time of peace not to take steps to get more engineers on your Reserve Lists. Undoubtedly there is some truth in the statement that is very often put forward, that in times of war we should have a large number of steamers thrown out of employ, and that we should, therefore, have a great number of men available. That may be true to a certain extent; but, on the other hand, we must remember that we have upon our ships a complicated mass of machinery—in some of our ships there are up to 60 or 70 steam engines, and I apprehend that no engineer could go on board those ships without, for a considerable time, feeling himself adrift. It would take some time before he could know exactly what to do. I hope the Admiralty will really consider this matter, and see whether a considerable extension might not be made in that respect. Then the other question to which I desire to call attention is with regard to our firemen and stokers. In the Navy there has been for some time very great difficulty in obtaining good stokers, and at the time of the two last mobilisations, I understand, it was with the greatest possible difficulty that some of the ships could be got to sea owing to the want of this class of men. The policy of the Admiralty has been to create a small reserve of stokers. There are now 557 stokers on the Reserve List, who receive £5 a year, but never have any training, and it is very doubtful whether they are thoroughly trained stokers or not. The curious thing about these men is that, although as regards other Reserves you take care to test them, call them out and see what they are worth, the stoker is never called out. You pay him £5 a year, and you do not know whether or not he is a competent stoker. Surely it

is absolutely necessary that these men should be called out from time to time to see what they really are. In some of our large passenger ships, such as those of the Peninsular and Oriental and other large Steamship Companies, it is the habit to employ in the engine-room, as firemen, natives of the East, who are accustomed to very great heat, and who have no objection to working in the stokehole. It has always appeared to me a great act of cruelty to place Europeans in the stokehold in a hot climate if it could be avoided, and, if you can get men of the kind I have mentioned, it seems to be absolutely unnecessary. The class of natives that have been employed in the P. and O. Service for many years are negroes from Zanzibar, who go to Bombay and are readily obtainable, making excellent stokers. Latterly their numbers have a good deal decreased; but their places have been taken by natives from the Punjab, who have proved themselves eminently fitted for the work. I have made careful inquiries on the subject, and I find that there would be no difficulty in getting large numbers of these Punjab men at Bombay who would be very willing to work in our stokeholds, both in peace time and in war. Of course, it would be necessary in all our ships to have one or two European firemen; but, with this exception, I do not think any ship ought ever to be employed on a foreign station in warm climates unless we have this class of men as stokers instead of Europeans. Indeed, I do not see any reason to anticipate any difficulty if we were to employ these men in all our ships, not only in hot climates, but also in the Mediterranean. It is said that in time of war we could not employ these men; but no one who is acquainted with the Punjabis could think that we should have any difficulty. The Punjabi men are as brave as any in the world, and, provided they understood when they were engaged that they would be employed if there was war, we should have no difficulty whatever. I make these suggestions believing in the enormous importance of the strength of our Naval Reserve and the urgent necessity of harmonising our Navy with the merchant navy, so that in time of war we could easily expand it. They occur to me to be in connection with the question asked by my noble Friend, and I sincerely trust when the noble Lord answers on behalf of the Admiralty he will be able to say that they are looking into this question.

*THE EARL OF RAVENSWORTH: My Lords, I do not wish to enter upon any long discussion upon this subject, but merely to put one or two questions. I think the House will admit that the two noble Lords opposite have done a valuable public service in directing attention to the condition of our Naval Reserve. We are accustomed in this country to regard it as drawn from the cream of the Merchant Service; but both my noble Friends have pointed out that the conditions of service in the Navy are so different from what they are in the Merchant Service that it is impossible to regard the Reserves as a thoroughly efficient force unless they consist of men who have been brought into contact with the sailors of the Royal Navy face to face with work on board a man-of-war. The handling of one of our battle ships, cruisers, or gunboats requires an experience very different from any that can possibly be obtained on board a merchant vessel of whatever kind. Merchant seamen, therefore, are not fitted without special training for service on board a man-of-war, and unless they are brought into communication as often as possible with the sailors of the Royal Navy. The question which I want particularly to put to my noble Friend who will reply is this, what proportion of the whole number of 18,000 men of the Royal Naval Reserve are called out every year? For without that information it is impossible to know whether the whole force has ever been called out, and unless all are periodically called out and trained on board Her Majesty's ships it is impossible to have a thoroughly effective force. If the noble Lord can tell us what proportion is called out every year we can form our own conclusions as to what number of years would be required for training the whole force. It is important also to know whether in all cases gunnery practice is required to be carried on at sea by the Naval Reserve. Those are two points upon which I should like to have some explanation, and I think the House will admit they are very important ones, in order that we may know whether the

Naval Reserve is in that state of efficiency which it ought to be.

*LORD ELPHINSTONE: My Lords, if I fail to meet all the points which have been raised by my noble Friend opposite, I must remind him that it was only at 12 o'clock to-day that I was put in possession of the questions he wished to put to me. Although this question as it stands on the Paper is a very innocent-looking one, as put to me by my noble Friend, it has assumed rather formidable proportions. However, I will endeavour to the best of my ability to reply to the points which have been raised. I will at once say that the importance of the Royal Naval Reserve iss fully appreciated and recognised by the Admiralty, and, in fact, by all parties. It is not difficult to make suggestions that in the abstract appear admirable; but when these suggestions are investigated in detail, they are not found to lead to practical attainable results. We have two classes of Naval Volunteers. The first is the Royal Naval Reserve, a force composed of nearly 20,000 officers and men who have followed the sea as a profession; the second is the Royal Naval Artillery Volunteers, a force of 2,038 with an entirely different organisation, the members of it being recruited from every profession and trade. In the question, as put by my noble Friend Lord Brassey, he calls attention to the state of those two forces. The state of the Royal Naval Reserve is in every way satisfactory. There has been a steady increase in all the ranks during the last year, as shown by the following figures. There are 558 officers of all ranks, which is an increase of 183 since June, 1889. Of men of all classes there are 19,293, an increase on the year of 267. These figures make a total of 19,851, an increase on the year of 450. It is not intended to embark any of the seamen or stokers of this reserve during the forthcoming manœuvres, but officers of the Royal Naval Reserve who may volunteer will be appointed to ships, and I may mention that up to the present time 15 have volunteered. This is totally independent of the number of Royal Naval Reserve officers, who were allowed to go on board for their annual training in the fleet, and that number, limited to 20, are already serving their year in Her Majesty's ships, namely, five lieutenants, 11 sub-lieutenants, and four engineers. The reason why it is not intended to embark any of the Royal Naval Reserve during the manœuvres is that the embarking section of the coastguard, numbering 1,972, will be embarked, and will be quite sufficient to fill up all the ships employed in the manœuvres without calling out any of the Reserve Forces. It is found in every way advisable to employ our own coastguardmen on board ship. In order to keep this thoroughly reliable and always available reserve in a state of efficiency it is absolutely necessary that they should be embarked every other year. They are the first people we look to to put on board, even before the Royal Naval Reserves. As to the number of inexperienced stokers, to which Lord Brassey has referred, it is not possible suddenly to increase the number of men employed in any one trade unless there is an extraneous source of supply, and that particularly applies to stokers The number of suitable men in the Mercantile Marine is not considerable, and, indeed, is barely sufficient to meet its own requirements; but satisfactory progress has been and is being made on this point, and it is one which has been occupying really the serious attention of the Admiralty. In the Royal Naval Artillery Volunteers there has been an increase of 21 during the last 12 months. The manner in which their services could be most usefully employed in the event of war is a question that has received a great deal of consideration at the Admiralty. One of the difficulties, as I have explained more than once during last Session, is that by the Act of Parliament under which they were enrolled the Admiralty has power to employ them (unless they otherwise consent) only in ships engaged in the defence of the coasts of the United Kingdom, the Channel Islands, the Isle of Man, and the seas adjacent. Under such circumstances, the Admiralty would naturally hesitate to embark these men on board a ship of war, which might at any moment be ordered on distant service. Lord Sidmouth, who put a question to me on this subject last year, said that the Volunteers were ready to go to any part of the world, and I say all praise to them for that; I have no doubt that Lord Sidmouth was right, and the

majority would be actuated by that patriotic sentiment. Lord Brassey suggests the possibility of affiliating them with the Royal Marine Artillery. There is much to be said in favour of such a proposal. I wish I could see the probability of that being carried out, and I think Admiral Sir George Tryon, to whom he referred, is also in favour of that proposal. But I would ask my noble Friend has he ever fairly considered the difficulties—for there would be very serious difficulties—in carrying it out. Has he ever seriously considered those difficulties himself? Of what are the two forces composed? As I have already explained, the Royal Naval Reserve is composed of men who have followed the sea as a profession, both as to officers and men. Among them are to be found some of the very best men in the Mercantile Marine. The Naval Artillery Volunteers, on the other hand, are men enrolled from all professions and trades. Has the noble Lord ever seen Returns of the various professions and trades of which this force is composed? They are very remarkable. The Returns of last December show that it contains members of no fewer than 254 different professions and trades. All good and gallant men, no doubt, but they are not seamen. The class most fully represented is that of clerks, of whom there are 439, and the number of men in any way, however remotely, who are connected with the sea, is under 150. That is the position of the Royal Naval Artillery Volunteers. It is difficult to mix oil and water, and I would venture to ask whether Lord Brassey does not think that it would be very difficult to get those gentlemen to join the Marine Artillery? I do not know whether the noble Lord has taken any steps to ascertain their feelings in the matter, but I am afraid it would be found that there were difficulties in the way. I stated last year that the Admiralty suggested that the commanding officers of the different divisions of corps or stations should meet and submit a plan by which the services of the Royal Naval Reserves could, in their opinion, be utilised to the greatest advantage. They met in Spring Gardens in June of last year, and they sent in suggestions and submitted their views. I can only say that those suggestions have not been lost sight of; but the matter, involving as it does so many serious considerations, is not one that can be settled without very careful thought. Lord Sudeley has practically put three questions to me. First, whether able-bodied seamen should be given their retaining fee in the Royal Naval Reserve unless they could show good discharges from their merchant ships. When my noble Friend first told me of his intention to put this question I confess it struck me very favourably, but on further consideration of the matter I am not at all so clear about it. This is virtually a proposal to discipline merchant ships through the Royal Naval Reserve, and it might in some cases act very prejudicially on the men themselves. For instance, the captain of a merchant ship might hold the granting of a "good discharge" *in terrorem* over the seaman, the good discharge might be withheld, and the seaman would in that case lose his retaining fee. The Naval Authorities prefer to judge of the men as they find them for themselves, and I may add that very few complaints, indeed, are received or offences recorded against them. Then the noble Lord asks, in the second place, why Punjabees should not be employed in the Royal Naval Reserve, as they were in the P. and O. Company, as stokers in time of war, and for that purpose be trained in time of peace. It is perfectly true that the P. and O. Company employ Punjabees as stokers, but do all the other great steamship lines follow the same system? I am not at all sure that they do. No doubt for ships exceptionally employed, that is to say, in hot climates, those men would be of use as an addition to the stokehold staff; but does the noble Lord suggest that they should be brought to this country and employed in the Channel? Because, once taken on board ship, they must, of course, go wherever the ship goes, and they would scarcely be able to stand our cold climate. In the years 1887 and 1888 a good deal of correspondence passed between the Colonial Office and the colonies on the subject of raising Royal Naval Reserve forces out there, and in June, 1888, a question on that subject was put to me by Lord Brassey. In my reply I told the noble Lord that the answers received were generally unfavourable, and it was therefore decided to take no further action in the matter. That is really a

question which must rest primarly with the colonies themselves, some of whom, notably Australasian Colonies, have already a very considerable Naval Service of their own. The noble Lord has pointed out that no inducements are held out to engineers to join the Royal Naval Reserve, and that, in the event of war, it would be impossible to obtain them from merchant ships. The noble Lord further said that similar inducements should be held out as to lieutenants, and that engineers should be bound to serve a certain time. The subject of engineers has been very much discussed this year at the Admiralty, and it is intended to somewhat improve their position in the Royal Naval Reserve, and to increase their pay when called out for service. The number of engineers enrolled has considerably increased. During the last year it has increased by 33, or double the increase of last year, and the number of firemen has been increased by 50. As my noble Friend will allow, there are, of course, considerable difficulties to be overcome in reconciling the interests of the State with the interests of individuals. The Admiralty want to get the best men, but the best men are fully employed in the mercantile marine and elsewhere. Shipowners, of course, have a difficulty in sparing them, because their ships are hardly ever at rest; and if the men left their ships, even for a short time, to meet Admiralty requirements for training, their places would at once be filled up, and their professional interests would suffer materially, to an extent far beyond any advantages the Government could offer. The only other point to be mentioned, I think, is that all officers and men enrolled in the Royal Naval Reserve, or Royal Naval Artillery Volunteers, are bound to serve when called out. The noble Earl, Lord Ravensworth, put two questions to me just now, but I am afraid I am not in a position to answer them at present. He will see that the question put to me by the noble Lord opposite did not lead me to expect that I should be asked those two questions, but I will endeavour to get him the information if he desires it. I should not like, by attempting to answer them off hand, to perhaps mislead him.

House adjourned at twenty-five minutes past Six o'clock, till To-morrow, a quarter past Ten o'clock.

Lord Elphinstone

HOUSE OF COMMONS,

Thursday, 3rd July, 1890.

QUESTIONS.

ZULULAND.

MR. WEBB (Waterford, W.): I beg to ask the Under Secretary of State for the Colonies, with reference to the following passage on page 11 of the Report on the Blue Book for Zululand, 1889: "number of prisoners committed to Etchowe Gaol 113, average daily number in gaol 43," how many cells in Etchowe Prison are exclusively reserved for prisoners, and what is the size of those cells?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): The gaol at Etchowe comprises seven wards for the confinement of prisoners, the gross area of which is believed to be about 9,000 cubic feet.

INDIAN STAMPS.

MR. R. POWER (Waterford): I beg to ask the Secretary to the Treasury whether he has any objection to lay upon the Table of the House any applications which, during the course of the past 18 months, have been forwarded to the Lords of the Treasury by Mr. J. S. Purcell, C.B., the Controller of Stamps, on the subject of the remuneration paid him for controlling the manufacture of Indian stamps and stamped papers, together with any Reports addressed to their Lordships by the Commissioners of Inland Revenue relative thereto, and any replies to the same which have been sent from the Treasury to the Commissioners of Inland Revenue or to Mr. Purcell; and whether a further appeal from Mr. Purcell, dated the 21st April last, has been received at the Treasury; and, if so, whether any reply has been made thereto?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): It would be very unusual to lay on the Table the correspondence which may have passed between different Departments of the Government. There are very strong

objection to such a course. The matter is now under consideration, and, of course, a reply will be made to the further appeal of Mr. Purcell.

NATIVE INDIAN SIGNALLERS.

MR. BRADLAUGH (Northampton): I beg to ask the Under Secretary of State for India whether, in view of his statement that the native Indian signallers have never been entitled to house allowance in lieu of accommodation in a telegraph building, he will make inquiries from India as to whether it is a fact that such allowance has been made to the signallers, both European and Indian, and for what period; and whether the Secretary of State will give instructions that where identical duties are performed by officers of the Department, and where no social or religious customs forbid occupancy of quarters in the telegraph building, equality of treatment shall be accorded European and Indian Officials alike?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The Secretary of State has satisfied himself by reference to the best authority that no such allowance has ever been made and no further inquiry seems to be necessary. Equality of treatment has always been, and always will be, accorded to European and Indian officials alike.

*MR. BRADLAUGH: Upon that statement I will supply the right hon. Gentleman with a list showing the cases in which there has been a difference.

MORTALITY IN THE ASSAM TEA GARDENS.

MR. SAMUEL SMITH (Flintshire): I beg to ask the Under Secretary of State for India whether his attention has been drawn to a statement made by Doaraka Nath Ganguli, Assistant Secretary to the Indian Association at Calcutta, in refer ence to the excessive mortality on the tea plantations in Assam, wherein he states that the rate per million of deaths among Act labourers was in 1883, 61·5; 1884, 58·9; 1885, 51·5; 1886, 58·9; 1887, 57·2; 1888, 62·9.

"The Report of the year 1888 is the latest one yet received, and it does not show that, so far as the percentage of death is concerned, there has been any progress except in the downward direction.

"In 1888 there were two gardens, in one of which the rate of mortality was 301·6 and in the other 309·5";

and whether he will call the attention of the Indian Government to this high rate of mortality, with a view to their seeing that the provisions of the Act for the protection of coolies is thoroughly enforced?

SIR GEORGE CAMPBELL (Kirkcaldy, &c.): I also wish to ask the Under Secretary of State for India whether of late years any tea gardens in Assam have been closed by Government, as respects indentured labourers, under the powers provided by the law when the mortality has been excessive; and if not, why, having regard to the very excessive mortality in some gardens, the law has not been enforced as it was in former years?

SIR J. GORST: Yes, Sir; the rates of mortality given in the question of the hon. Member for Flintshire (Mr. S. Smith) are correct per thousand. The mortality in the tea gardens has been engaging the attention of the Secretary of State and the Government of India ceaselessly for years past, and, as I have on several occasions stated to the House, a special investigation is going on now. In reply to the question of the hon. Member for Kirkcaldy (Sir G. Campbell), I have to say that no tea gardens have been closed since the year 1884, because, in the opinion of the Sanitary officers, the remedial measures which have been enforced were more efficacious than closure.

SIR G. CAMPBELL: Is the right hon. Gentleman aware that either by law or regulation it has been the invariable practice to close these gardens when the mortality has exceeded 100 in the 1,000, and the right hon. Gentleman has admitted that in 1888 there were two cases in which the mortality was upwards of 300 per 1,000?

SIR J. GORST: I believe it used to be the case to shut up the gardens when the mortality rose to a certain amount; but now, under new sanitary arrangements, instead of shutting them up, preventive sanitary measures are prescribed and enforced.

MAMLATDAR WITNESSES AND THE CRAWFORD CASE.

MR. SAMUEL SMITH : I beg to ask the Under Secretary of State for India whether his attention has been called to the protest of the civilians of the Bombay Presidency against the treatment of the Mamlatdar witnesses in the Crawford case, and especially to the strong language of Mr. Propert, a British official of 35 years' standing in India, wherein he condemns the breach of faith as fatal to the prestige of the British name; and whether the Government will give an opportunity for a full discussion of this question, so vitally connected with the reputation for good faith of the British Government in India?

SIR J. GORST: Yes, Sir; and the strong language used by Mr. Propert will be found in Parliamentary Paper No. 131 presented this Session. The Secretary of State has no objection to the fullest discussion of the conduct of Her Majesty's Government in requiring the removal of officers who have been guilty of corruption from the position of Judges.

THE INDIAN MIDLAND RAILWAY.

MR. BRADLAUGH : I beg to ask the Under Secretary of State for India whether the Secretary of State is aware of the grievances under which certain chiefs of Bundelkund, Central India, are suffering in connection with the construction of the Indian Midland Railway; whether the Secretary to the Government of India, Public Courts Department, in Order No. 272, R. C., dated 7th of April, 1886, referring to this railway, said—

"The Government of India is willing to award compensation for such lands as were taken up from the several Durbars for a temporary purpose, and now occupied permanently;"

whether on the 12th of April, 1886, instructions were issued by the Political Agent in Bundelkund to the States of Orchha, Dultia, Khaniadana, and Sampthau, to make over certain specified lands "for permanent occupation" by the Indian Midland Railway, on the express understanding that "full compensation will be given to everyone by the aforesaid company"; whether, when the time came for the settlement of the respective claims, Mr. Henvey, the Agent to the Governor General in Central India, declared that though the railway was for the time in the hands of a company, it should be considered a State Railway; whether Mr. Henvey's orders concluded in these words—

"I am pleased to rule, without the least hesitation, that no claims from any of the chiefs for compensation of any kind should be admitted;"

and whether he will call the attention of the Government of India to the engagements entered into in April 1886, with a view to the withdrawal of the order of Mr. Henvey, and to the payment of the compensation promised, a sum in all of more than five lakhs of rupees?

SIR J. GORST: No representations have been made to the Secretary of State by the chiefs of Bundelkund of any grievances in connection with the construction of the Indian Midland Railway. If such representations were made, they would, of course, be carefully inquired into and considered. The words of the Government of India referred to in paragraph 2 of the question are incorrectly quoted. They should be—

"The Government of India accept the principle of paying compensation for land which has up to date been taken up temporarily under Class B."

They did not refer to all land taken up; they had reference only to the State of Orchha.

IRELAND—POLICE SHADOWING.

MR. WEBB: I beg to ask the Attorney General for Ireland whether he is aware that at Dungarvan, on Friday, 20th June, the Mayor and ex-Mayor of Waterford, engaged on business of a private character, were followed by a policeman a considerable distance out of the town; and whether he will give directions that shadowing of this character be discontinued?

*THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The Constabulary Authorities report that it is not the fact that the Mayor and ex-Mayor of Waterford were shadowed. They appear, however, to have been in the company of a man whose movements are watched by the police, as they have reason to believe that he is endeavouring to promote boycotting and intimidation.

MR. COX: I beg to ask the Attorney General for Ireland whether Thomas Fox is being systematically shadowed by the police in County Clare; and, if so, for what purpose?

*MR. MADDEN: The Constabulary Authorities report that it is the case that the movements of the man mentioned are watched by the police in consequence of information in their possession.

MR. COX: Is it not the fact that this man was arrested for firing at Mr. Blood; that when he was brought before the Magistrates he was discharged, and that it is only since his discharge that he has been systematically shadowed?

*MR. MADDEN: My information does not enable me to say whether that is a fact or not.

MR. FLYNN (Cork, N.): I beg to ask the Attorney General for Ireland whether his attention has been called to the report of the trial of Mr. James O'Brien, of Killeagh, at Youghal, County Cork, on Friday last, on a charge under the Criminal Law and Procedure Act of "having obstructed Constable Quinn in the discharge of his duty"; whether he is aware that the Magistrates, Messrs. Hodder and Irwin, inflicted no punishment on the accused, and that the constable swore that the alleged act of obstruction was that the defendant "followed me about, and, in consequence I was unable to discharge my duty;" and, if, in view of the fact that the prisoner was handed over by Constable Quinn to another constable, and taken to Cork Goal for seven days, the Government will award some compensation to Mr. O'Brien for the imprisonment inflicted upon him without trial?

*MR. MADDEN: I am informed that the facts are not accurately represented in the question. The constable's evidence on oath was to the effect that O'Brien had followed him about, pointed him out, and called public attention to him, thereby preventing him from discharging the detective duty on which he was engaged. He was convicted on the charge, but the Magistrates, taking into account the fact that he had been in custody from the 16th to the 20th of June, ordered that he should be further detained in custody only until the rising of the Court.

MR. DILLON (Mayo, E.): Are we now informed that it is not permissible for a man who is being shadowed to shadow his own shadow?

*MR. MADDEN: I have stated the facts of the case. The constable was on detective duty and was followed about, pointed out to the public, and prevented from discharging his duty.

MR. DILLON: Does the Attorney General for a moment mean to assert that it is a crime to point out a detective?

*MR. MADDEN: No, Sir; that is not a crime; but following a plain clothes officer about while he is engaged in detective duty, and pointing that officer out as being engaged in such duty, may, in my opinion, amount to an obstruction of the officer in the execution of his duty.

MR. DILLON: Does the right hon. Gentleman lay down that it is a crime to point out a policeman in plain clothes? How is it to be known that a man is a policeman if he is not in uniform?

*MR. MADDEN: I have already said that it is not a crime to point out a policeman dressed in plain clothes; but it is an interference with him in the discharge of his duty to follow him about and point him out to the public.

MR. DILLON: Is the pointing out of a policeman in plain clothes and the following him about sufficient to justify a man being arrested, carried off to gaol, and kept there for several days?

*MR. MADDEN: I certainly do mean to assert and to lay down that obstruction of a policeman in the discharge of his duty may be of a character to constitute an offence.

MR. W. REDMOND (Fermanagh, N.): May I ask the Home Secretary whether I should be guilty of a crime if I were to go out into Parliament Street and point out and follow one of his plain clothes policemen?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The hon. Member has asked me a highly hypothetical question, which it is impossible to answer.

MR. FLYNN: Under what provision of the law was this man arrested by a second constable and bail refused?

*MR. MADDEN: That does not arise out of the question on the Paper, and I must ask for notice.

MR. WADDY (Lincolnshire, Brigg): Is it not the fact that the man who was arrested was himself being followed by the detective whom he pointed out?

*MR. MADDEN: I have given the House all the information in my possession.

IRISH LETTERS.

MR. MURPHY (Dublin, St. Patrick's): I beg to ask the Postmaster General whether he is aware that there is a printed notice in the Post Office at Harrogate that letters from "London and all parts (except Ireland)" are delivered on Sundays; whether this rule applies to many other places in England; why should such an exception be made; and why is the promised arrangements for Sunday delivery of Irish letters at Newcastle and Staffordshire not being carried out?

*THE POSTMASTER GENERAL (MR. RAIKES, Cambridge University): In reply to the hon. Member, I have to state that there are no trains by which letters despatched from Ireland on Saturday night can reach Harrogate in time for delivery on Sunday morning. There are other trains in the North of England to which the same remarks apply. As regards Newcastle, Staffordshire, arrangements were made in March last for securing the arrival of Irish letters by first post in the morning, and it was believed at the time that these arrangements would be in force every day, but it proved impracticable to give effect to them on Sunday and Monday mornings. I regret that there are at present no means of providing for a Sunday delivery of Irish letters at Newcastle, Staffordshire.

OUTRAGES IN CLARE.

MR. COX (Clare, E.): I beg to ask the Attorney General for Ireland how many agrarian outrages were committed in County Clare since 1st July last year; the number of cases of firing at the person or into houses; how many of these had police protection; the number of persons made amenable; and the extra Police Force stationed in the county, and their cost?

*MR. MADDEN: The Constabulary Authorities report that the number of agrarian outrages committed in the County Clare since July 1st, 1889, is 61, of which six were cases of firing at the person and 21 firing into dwellings. In none of these 27 cases had there been police protection, and no person have, so far, been made amenable in regard to to them. According to the last completed accounts, which are for the year to March 31st last, the extra force in this county numbered 168 men, and the charge against the county in respect to them was £5,603.

LICENCE TO CARRY ARMS.

MR. COX: I beg to ask the Attorney General for Ireland if Mr. John Cusack, of Island Avanna, Clare Abbey, County Clare, has had his licence to carry arms revoked by order of the Lord Lieutenant; and, if so, what reason has been assigned for this proceeding?

*MR. MADDEN: It is the case that the man mentioned has had his arms licence revoked. It would be inexpedient in the public interest to state the grounds upon which the Lord Lieutenant acted.

LAND COMMISSION—MULLINGAR.

MR. DONAL SULLIVAN (Westmeath, S.): I beg to ask the Attorney General for Ireland whether he is aware that, on last Thursday, the 26th of June, in the salerooms of P. M'Cormick, auctioneer, of Mullingar, a number of farms, consisting of parts of the lands of Cloncullion, Rahinashiane, Spittaltown, and Killevally, situate in the barony of Moycashel, and County Westmeath, held in fee, containing 334 acres 1 rood and 37 perches, statute measure, or thereabouts, were put up for sale by instructions of the Irish Land Commission; that there was no bidding for the farms; whether by conveyance dated the 17th day of July, 1886, the above lands were conveyed in fee simple, in consideration of £3,840, £2,800 of which was advanced by the Irish Land Commission, and by said deed the said lands were conveyed to the said Irish Land Commission, subject to redemption, and a covenant was entered into to pay the Commission an annuity of £112 for 49 years, from the 1st day of November, 1886, payable half-yearly on every 1st day of May and every 1st day of November; what inquiry did the Land Commission make as to the value of those farms before they advanced such a large sum; and whether

they have any expectation of realising any part of the sum so advanced?

*MR. MADDEN: The Land Commissioners report that the holding referred to was sold in July, 1886, for £3,840, of which the purchaser paid in cash £1,040, and the Commission advanced £2,800. The holding was advertised for sale to realise one year's annuity, £112 due to the Commission, but the sale was not proceeded with, as the Commissioners ascertained that the purchaser had been recently adjudicated a bankrupt, and the assignee was taking the necessary steps to pay out of the assets the arrears of annuity due, and to realise for the benefit of the creditors the bankrupt's interest in the holding. Before making the advance in 1886, the Commissioners caused the holding to be inspected, and they have no doubt whatever as to the sufficiency of their security.

MR. TUITE (Westmeath, N.): I beg to ask the Attorney General for Ireland whether he is aware that at the last sitting of the Irish Land Sub-Commission in Mullingar the Commissioners announced that the next sitting of the Court would be held on the 24th June, and that in consequence of that statement a large number of tenants came to the town on that day under the impression that their cases would be heard, but were obliged to return as the Commissioners did not attend; and whether he will take steps to prevent the tenants in future being put to such unnecessary loss and inconvenience, and that proper notice shall be given by the Commissioners when they decide on postponing the sitting of the Court?

*MR. MADDEN: The Land Commissioners report that there must have been some misapprehension on the part of the tenants referred to, as no fixtures had been made for the 24th June.

CHARGE AGAINST A POSTMASTER.

MR. W. ABRAHAM (Limerick, W.): I beg to ask the Postmaster General whether he has made inquiry respecting John Cowhey, sub-postmaster at Bruree, and ascertained that this man has been convicted twice of drunkenness and once of serious assault, and was also dismissed from the employment of the Prudential Assurance Company for irregularity in his accounts; and if John Cowhey will still be retained in charge of the Post and Money Order Office at Bruree?

*MR. RAIKES: I have now made inquiry into the circumstances to which the hon. Member refers. I find that the convictions alluded to took place some 12 years ago, and, although I was not aware of them when making the appointment, they had been brought to my knowledge before I answered the hon. Member's question on the 5th June. With regard to the alleged dismissal from the employment of the Prudential Assurance Company, I find that there are conflicting statements as to the exact cause which led Mr. Cowhey to relinquish the agency in 1878, and nothing definite can now be ascertained respecting an event which happened so long ago. Since Mr. Cowhey became sub-postmaster the duties of the office have been performed entirely to the satisfaction of the Department, and I should not, therefore, be warranted in depriving him of the appointment which I conferred upon him in December last.

MR. W. ABRAHAM: These convictions occurred in 1885, and not 12 years ago; and if the right hon. Gentleman will put himself in communication with the Secretary of the Assurance Company he will find that Cowhey did not resign, but was dismissed. I wish to know whether a man whose character is so notorious is to be retained in the Public Service?

*MR. RAIKES: The statement made by the hon. Member is not contained in the information furnished to me.

MR. W. ABRAHAM: I will furnish the right hon. Gentleman with a copy of the convictions at the Magistrates' Court.

INLAND REVENUE OFFICERS.

MR. MURPHY: I beg to ask the Chancellor of the Exchequer whether complaints have reached him that officers of the Inland Revenue Department are often, on slight complaints, removed at their own expense to distant parts of the United Kingdom; whether quite recently, an officer was censured and ordered to be removed from Dublin to Aberdeen, although he denied the truth of the complaint upon which the order of removal was made, and demanded an investigation, stating that he could produce several witnesses on oath to prove his innocence; whether, notwithstanding all this, the Commissioners of Inland

Revenue refused any inquiry, and, as a consequence, he has to remove his family at very great expense from Dublin to Aberdeen; and whether, on inquiry, he will interfere to prevent similar cases, which are at present the cause of much discontent in the Inland Revenue Department?

MR. GOSCHEN: It is not true that Inland Revenue officers are often removed on slight complaints to distant parts of the United Kingdom; but such a measure has to be taken from time to time in the interests of discipline where serious misconduct has occurred, and I do not propose to interfere with the discretion of the Board in this matter. In the case to which the hon. Member refers previous complaints had been made of the officer's conduct, and he had an opportunity of producing witnesses when the charge was made.

TITHES IN IRELAND.

MR. JASPER MORE Shropshire, Ludlow): I beg to ask the Attorney General for Ireland, with respect to the 1 & 2 Vict., c. 109, intituled "An Act to abolish to Compositions for Tithes in Ireland and to substitute Rent-Charge in lieu thereof," whether the 32nd section, which makes tithe rent-charge variable every seven years when the average price of corn for the seven years preceding the application, as advertised in the *Dublin Gazette*, varied by 1-10th from the original standard, is still operative in the case of lay tithes; and whether applications to vary the amount of lay tithes at the end of the septennial period, in accordance with the fall in the price of corn aforesaid, have been made this year in Ireland and have been allowed?

*MR. MADDEN: The section referred to is still in force, and the tithe rent-charge is still liable to revision. I am informed that several applications to vary the amount of lay tithes have been made under the section.

MR. S. LEIGHTON (Shropshire, Oswestry): Is it true that no remission has been made this year to the tithe-payers on account of agricultural depression?

*MR. MADDEN: The question on the Paper relates to lay tithes. The Ecclesiastical tithes are vested in the Land Commissioners, and no periodical revision is possible.

THE TIPPERARY MAGISTRATES.

MR. DILLON (Mayo, E.): I beg to ask the Attorney General for Ireland whether he will consent to the issue of a Return showing the attendance of Local Magistrates at weekly Petty Sessions in Tipperary from June 1888 to June 1890, and the attendance of Stipendiary Magistrates during same period?

*MR. MADDEN: I must ask the hon. Member to postpone the question until I can obtain the information.

THE LOCAL TAXATION (CUSTOMS AND EXCISE) DUTIES BILL.

MR. SEXTON (Belfast, W.): I beg to ask the First Lord of the Treasury whether the Government, having regard to the evidence of Irish opinion afforded by the introduction of the Agricultural Labourers (Ireland) Bill now before the House, and the proceedings upon that measure, will appropriate the unallotted balance of Ireland's share of the Local Taxation (Customs and Excise) Duties, in aid of the provision of dwellings for Irish agricultural labourers, upon the principles indicated in the Bill?

MR. W. MACDONALD (Queen's Co., Ossory): In view of the admission of the Chief Secretary, that the national school teachers of Ireland are insufficiently remunerated, will the right hon. Gentleman consider the advisability of devoting a considerable portion of the money to bettering their condition?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The hon. Member for West Belfast (Mr. Sexton) will not be surprised to hear me repeat the answer already given in this House. The Government are giving full consideration to the various suggestions made in different parts of the House, and will state their views to the House as soon as they have arrived at a conclusion.

MR. SEXTON: How soon?

*MR. W. H. SMITH: I must ask for a little time.

MR. SEXTON: What notice will the right hon. Gentleman give? The Bill, I see, is down on to-day's Paper. It is desirable that notice should be given in order that Members may put down Amendments.

*MR. W. H. SMITH: Every notice will be given.

ADMIRALTY—COMPOSITIONS FOR SHIPS' BOTTOMS.

SIR ROPER LETHBRIDGE (Kensington, N.): I beg to defer until Tuesday the question in my name, to ask the Secretary to the Admiralty who is the officer responsible for the selection of the compositions that are ordered from time to time to be used on the bottoms of Her Majesty's ships; is this officer an expert, and what previous technical experience and education has he had to qualify him for this important duty; and by whom was he appointed, for how long, and has the appointment been sanctioned by the Treasury?

THE POLICE IN MONK BRETTON.

EARL COMPTON (York, W.R., Barnsley): I beg to ask the Secretary of State for the Home Department whether he has received complaints from certain inhabitants in Monk Bretton, Barnsley, against the police in that district; whether he is aware that, since the complaints were made, one constable has been removed from the district; whether he is aware that it is alleged that perjury was committed by the police, and that innocent persons have in several cases been fined; whether he is aware that application has been made to the Standing Joint Committee at Wakefield, who have replied that they are not a Court of Appeal, and have no power to review the decision of the Justices in the above-referred to cases; and whether he will take some steps in justice to those who were, it is stated, unjustly fined, as well as in justice to the accused police, to institute an inquiry into the whole matter?

MR. MATTHEWS: Yes, Sir; I have received such a complaint. I am informed by the Chief Constable that a constable has been lately removed from the district for the benefit of the Service, and not in consequence of any complaints or of impropriety on his part. General allegations have been made to me of perjury on the part of the police, but no particular case, in which justice is alleged to have miscarried, has been brought to my notice. I am informed by the Standing Joint Committee that a statement to the same effect has been laid before them, but, with one or two exceptions, the cases referred to had been tried before Justices, and the Committee could not re-try them. In many of the cases, moreover, I am informed that the prisoners summoned had pleaded guilty. The Chief Constable has, on two occasions, personally investigated, on the spot, these complaints, and the complainants have expressed themselves to him as being perfectly satisfied. Under these circumstances, I see no ground for interference on my part, but I am prepared to make careful inquiry into any particular case of alleged injustice if I am duly furnished with dates and particulars.

THE GRIEVANCES OF THE TELEGRAPHISTS.

EARL COMPTON: I beg to ask the Postmaster General when he will be able to state to the House the result of the Departmental Committee inquiry into the telegraphists grievances; whether a statement will be made before the Post Office Estimates are taken in Supply; and, whether, if any beneficial changes are adopted in the matter of overtime, increased holidays, sick pay, &c., they will date from the 1st April, in accordance with the precedent of Mr. Fawcett's Scheme of 1881?

*MR. RAIKES: In reply to the noble Lord, I have to inform the House that I have carefully examined the Report of the Committee referred to, and have formed my conclusions thereon. I forwarded a copy of the Report to the Lords of the Treasury a few days ago. I shall be in a position to make a statement relating to this matter as soon as the Government has arrived at its decision, and I hope before the Post Office Estimates are taken in Supply. I fear that it will not be practicable to adopt the suggestion conveyed in the last part of the noble Lord's question.

EARL COMPTON: Is the right hon. Gentleman aware that there is some danger of the question of overtime being raised by the telegraphists in a very inconvenient manner about the 12th of this month?

*MR. RAIKES: Some rumours have reached me of a probable course of conduct on the part of some of the telegraphists employed in the Central Office, which

conduct, I am sure, the noble Lord would be the first to condemn. Her Majesty's Government must be guided not so much by the attitude of the telegraphists, as by what we consider to be the real exigencies of the case.

EARL COMPTON: I asked whether, in consequence of there being great disaffection on the subject of overtime, it would not be possible to state before the 12th of July what course the Government intend to take in regard to this question?

*MR. RAIKES: I should be extremely glad if I am in a position to make a statement on all the subjects before the 12th of July.

CUSTOMS OFFICERS AT RYDE.

COLONEL MALCOLM (Argyllshire): I beg to ask the Secretary to the Treasury whether the Customs Officers at Ryde have any right to detain the luggage (handbags) of professional and other gentlemen landing from yachts which have had no communication with a Foreign shore; whether, in case of their having such power, he will take care that in future an examining officer shall be available at Ryde, thus rendering such detention unnecessary; and what compensation he is prepared to grant to such gentlemen for the trouble and serious inconvenience caused by their having to leave their bags open, when obliged by important business to proceed on their journey, although they offered to have them searched on the spot?

MR. JACKSON: I understand that there is no fixed Customs establishment at Ryde, and that when baggage or other goods are landed there an officer is sent by the collector at Cowes specially to make the necessary examination. I am informed that in the case referred to by my hon. and gallant Friend information as to the landing of the baggage was received at 9.40 a.m., and the baggage was delivered at 10.30. I am sorry if there has been any inconvenience, but the Customs business at Ryde is not sufficient to justify a fixed establishment, and Ryde is, in fact, not a place approved for the landing and examination of goods or baggage. I have drawn the attention of the Customs Department to the facts of the case.

LIQUIDS BY SAMPLE POST.

MR. BAIRD (Glasgow, Central): I beg to ask the Postmaster General whether it is the case that the United Kingdom is the only country in the Postal Union in which liquids are not permitted to be sent in glass bottles by sample post; whether the object of the regulation is to secure the safety of the contents of the mail bags; and whether that safety would be secured by forbidding liquids to be sent by sample post unless the bottles are enclosed in cases sanctioned by the Post Office?

*MR. RAIKES: It is not the case that the United Kingdom is the only country in the Postal Union in which liquids are not permitted to be sent in glass bottles by sample post. The object of the regulation is, as my hon. Friend supposes, to secure the safety of the contents of the mail bags. That safety cannot be secured in the way suggested, because it is not possible to make up bottles of liquid in such a manner as to meet the two opposing essentials of absolute safety and perfect facility of examination. I think I had the pleasure of explaining this matter to my hon. Friend very fully by letter on the 13th of May.

CRIME IN WHITECHAPEL.

MR. MONTAGU (Tower Hamlets, Whitechapel): I beg to ask the Secretary of State for the Home Department whether any Report or complaint has been received at the Home Office or by the Police Authorities respecting an area in Whitechapel intersected by Flower and Dean Street; whether the police have reported as to the existence of crime and vice in that locality; and if he will allow that Report to be made public; and whether any effort has been made by the owner or by the police to remedy the evils complained of?

MR. MATTHEWS: Yes, Sir; in December last the vicar of St. Jude's brought under my notice the evil state of the district referred to. The Commissioner of Police, whom I consulted on the subject, reported in substance that vice of the lowest type finds a refuge in parts of Whitechapel. The police do all in their power to keep violence and vice within bounds, but their duties are confined to the streets; in fact, extra constables are continuously on duty

there on special beats. It is only by bringing influence to bear on the landlords that a better class of dwellings can be provided, and so, gradually, a better class of tenants secured. I regret to say that I am informed by the Commissioner that no substantial efforts have been made by the owners of the property in this neighbourhood to effect improvements, the neighbourhood being in much the same condition as it has been for some years. The lease of some of the property is running out, and it is to be hoped that at the expiration changes will be effected and improvements made.

STAMP DUTY ON BONDS.

MR. MONTAGU: I beg to ask the Chancellor of the Exchequer if he can state the amount received during the year ending 31st December, 1889, on account of the 1s. per cent. stamps on bonds and shares to bearer?

MR. GOSCHEN: The amount received during the year ending 31st December, 1889, was nearly £98,000.

TURKISH STOCKS.

MR. MONTAGU: I beg to ask the Chancellor of the Exchequer whether, in view of the fact that several Turkish Stocks are being converted or paid off, he will take similar measures with regard to the Turkish Four per Cent. Guaranteed Stock and Drawn Bonds, on which an excessive interest continues to be paid by this country jointly with France?

MR. GOSCHEN: The Turkish Guaranteed Loan of 1855, of course, stands on a footing wholly different to that on which other Turkish Stocks stand, and so is in no way connected with any conversion which may be in contemplation for them. But, as has been previously stated to the House, Her Majesty's Government would gladly avail themselves of any suitable opportunity which may occur of placing the Guaranteed Stock on an improved basis, and though such an opportunity has not yet occurred, the question is one which is present to the minds of Her Majesty's Government with a view of coming to some arrangement with the French and Turkish Governments, which are both concerned in the matter.

*MR. MONTAGU: Is it not possible to pay off these Bonds upon which this high rate of interest is being paid and hold them over in some Government Department pending a future settlement with France?

MR. GOSCHEN: I think that such a course would be scarcely possible, but it may be possible to come to some arrangement about them.

FLASHING SIGNALS—ADMIRAL COLOMB'S INVENTION.

ADMIRAL MAYNE (Pembroke and Haverfordwest): I beg to ask the Chancellor of the Exchequer whether it is true, as intimated by Lord Elphinstone, on Friday last, that £2,000 was all the Treasury intended to give Admiral Colomb for inventions which, on the high authority of Admiral Sir Geoffrey Hornby, have enabled the British Navy to navigate in safety for the last 20 years; and, if so, whether he will grant a Return showing the sums granted to other inventors on account of real or supposed benefit to the Navy and Army respectively from their inventions during that period?

MR. GOSCHEN: I must ask my hon. and gallant Friend to postpone the question until to-morrow. I have not yet had an opportunity of obtaining the information that would enable me to answer it.

TELEPHONE COMPANIES.

MR. CHILDERS (Edinburgh, S.): I beg to ask the Chancellor of the Exchequer, with reference to the recent announcement, whether he is now able to state the grounds on which the Government have decided not to avail themselves of their right to give notice before the end of the present month to purchase the undertakings of the Telephone Companies?

MR. GOSCHEN: I submit to my right hon. Friend that it would be better to state the full grounds upon which this important decision had been arrived at when the matter could be treated as one of argument rather than one to be answered across the Table of the House. The reasons for the decision are numerous, and I think they will commend themselves to the right hon. Gentleman. It would be a large undertaking to buy up and conduct the whole of the telephone establishments in the United Kingdom, and the Government

do not see their way to multiply these undertakings, which must be conducted at very considerable cost. We hold strong views on the subject, and I repeat that it would be better to treat it as one of argument than one of question and answer.

*MR. CHILDERS: I am inclined to agree to some extent with my right hon. Friend. May I ask him whether he will have any objection to lay Papers on the Table of the House, as we are absolutely without information on the subject?

MR. GOSCHEN: I will consider the point, which is one of great interest, I know.

THE MURTHLY ESTATE.

DR. CAMERON (Glasgow, College): I beg to ask the Lord Advocate whether his attention has been called to the evidence recently given in the Court of Session in the case of "Kennedy *v.* Stewart" as to the part played by Mr. Duncan, Chief Clerk in the Crown Office, from which it appears that Mr. Duncan absented himself from his duties and went to Murthly for the purpose of assisting in the purchase of that estate; and, if so, whether the Crown Agent, as head of the office, was informed of the reason of his absence and sanctioned it; whether he has observed that it was proved that, with a view to misleading the intending vendor, Mr. Duncan allowed it to be falsely stated, without contradiction, that neither the Crown Agent or the firm of solicitors of which he is a member had anything to do with the intended purchase; that Mr. Duncan, in order further to mislead the intending vendor, allowed, without contradiction, a false address to be ascribed to himself; and that the Jury in the case unanimously decided that the misrepresentations to which Mr. Duncan was a party formed sufficient ground for quashing the sale of the Murthly estate; whether the Crown Office was used for the transaction of any business relating to the purchase of the Murthly estate; and whether Government has taken, or purpose taking, any steps in connection with Mr. Duncan's conduct as disclosed at the trial?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): My attention has been called to the evidence given in the Court of Session in the case referred to, for I was one of the counsel engaged in it. In reply to the first part of the question, I have to say that Mr. Duncan obtained leave of absence on the day mentioned. My answer to all the rest of the question is in the negative. The Jury gave a verdict on issues which expressly ascribed the misrepresentations to a third party, and Mr. Duncan was cognisant of none of those misrepresentations until after they are alleged to have been made. It is only fair to Mr. Duncan to add that I share the strong opinion which all my predecessors have held of his high character and long and valuable public service.

ADULTERATED BUTTER.

MR. OCTAVIUS V. MORGAN (Battersea): I beg to ask the President of the Board of Trade why the Customs and Inland Revenue Officers have not in any single instance put into operation the duties imposed on them by Section 8 of the Margarine Act of 1887, which empowered them to take steps to detect the importation of adulterated butter at British ports; and why this duty should be cast on private individuals?

MR. JACKSON: As regards the officers of Customs, I have stated, in answer to previous questions, the grounds on which their action is based. With respect to the remainder of the question, I may point out that powers are given by Section 7 of the Margarine Act of 1887 to any Medical Officer of Health, Inspector of Nuisances, or police constable to take samples as well as to officers of the Inland Revenue. The Act, therefore, apparently contemplates action by Local Authorities, and the Commissioners of Inland Revenue are quite ready to give to such authorities any aid that they can afford.

PLATE DUTY.

MR. HAYDEN (Leitrim, S.): I beg to ask the Chancellor of the Exchequer whether it has hitherto been the practice, when the primary duty on the importation or manufacture of an article has been repealed, to discontinue also the Licence Duty charged for dealing in such article; and whether, the Duty on gold or silver plate having been repealed by an Act of this Session, the duty for dealing in these articles will be still continued?

MR. GOSCHEN: No, Sir; it has not always been the practice to discontinue the Licence Duty for dealing in an article simultaneously with the repeal of the primary duty, and there are cases in which the Licence Duty still exists, though the primary duty has ceased. I may remind the hon. Member that the licences for dealing in plate have passed to the County Councils, and that their repeal is a question which affects local finance.

THE NEW CODE.

MR. PICTON (Leicester): I beg to ask the Vice President of the Committee of Council on Education whether he will re-consider the possibility of devising means to encourage collegiate training for teachers without permanently maintaining throughout an experienced teacher's life the distinction laid down in Article 73 of the New Code; whether he will substitute the terms "collegiate," and "non-collegiate," for "trained," and "untrained," where the purpose is to distinguish teachers with the double training of pupil-teachership and college from those who have only the training of pupil teachers; and whether, in Article 61, he will omit the words "will not be permitted to superintend pupil teachers," and substitute "will not be recognised as certificated," thus offering an incentive to secure the advantages of a training college?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The hon. Member is mistaken in supposing that the distinction laid down in Article 73 will be permanently maintained throughout an experienced teacher's life, as it ceases to apply to any teacher who obtains charge of a school. I have already intimated my intention to substitute other words for the terms "trained" and "untrained;" but an alteration of Article 61 in the way suggested would not, in my opinion, offer the desired incentive, and lies altogether outside the scope and object of the Article in question.

ARMENIA.

MR. SCHWANN (Manchester, N.): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been called to further information about Armenia in the *Daily News* of 1st July, namely, that Hussein Bey, of Hosh, in the neighbourhood of Kharpout, who is said to have slaughtered 15 Armenians during his career, has been released from Erzeroum Gaol and appointed to a high public office in Kharpout, and that the Armenian inhabitants are panic-striken in consequence; whether there are still political prisoners from Armenia in the gaols of Erzeroum and Erzingan, who have been lying for two years and a half in gaol without trial; and whether he will inquire into these allegations, and, if he finds them correct, take means to remedy the evils? I wish further to ask whether it is true, as stated in a daily paper, that Russian troops are moving towards the Armenian frontier to compel payment of the indemnity, and to protect the Armenians from further outrage on the part of the Khurds?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): No information in corroboration of these statements has been received by Her Majesty's Government; but the attention of Her Majesty's Consular Representatives on the spot will be called to them.

MR. BRYCE (Aberdeen, S.): What is the date of the last Report from Constantinople or Erzeroum? The statements referred to in the question appeared some time ago.

*SIR J. FERGUSSON: The question put to me referred to a telegram in the *Daily News* of the 1st of July, and it is obvious that no Despatches could possibly have reached this country from Erzeroum at the present date. It is no part of the duty of our Representatives to give currency to every rumour that may reach them until it is confirmed.

"MITCHELL *V.* REGINA."

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the Secretary of State for War if he has received any application from the suppliant in "Mitchell *v.* Regina" for aid to pay the taxed costs of an action for false imprisonment he was virtually compelled to bring against the Sheriff (or Bailiff) of the Salford Court, Manchester, in consequence of not having received money due from the War Office; and what steps he intends to take in the matter?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): Yes, Sir; such an application has been received. I am unable to say what steps will be taken in the matter.

MR. CUNINGHAME GRAHAM: I beg to ask the First Lord of the Treasury what steps, if any, will be taken against Messrs. Hare and Co., the agents to the Treasury, as regards the difference between the original and taxed bill of costs in "Mitchell *v.* Regina," and whether such difference will have to be borne by the taxpayers; and have Messrs. Hare and Co. been called upon for an explanation of the excessive charges in question?

*THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): My right hon. Friend has requested me to answer this question. No steps will be taken against Messrs. Hare, as they have not made any excessive charges. The difference between the amount of the Bill, as delivered and as taxed, arose almost entirely in consequence of a decision of the Master upon a new point. I myself directed, solely out of consideration for Colonel Mitchell, that no further steps should be taken to question the decision in this case.

STREET PROCESSIONS.

MR. CAVENDISH BENTINCK (Penryn and Falmouth): I beg to ask the Secretary of State for the Home Department whether he has seen a paragraph in the *Times* newspaper of Tuesday to the effect that certain persons, styling themselves "the Open Air Meeting Committee," intend to march in procession from Clerkenwell Green to Hyde Park on Saturday next; and whether he will take steps to prevent proceedings and obstructions in the public thoroughfares, which are contrary to the wishes of the ratepayers and inhabitants of the Metropolis, and which materially interfere with their ordinary occupations and business?

MR. PICKERSGILL (Bethnal Green, S.W.): Has the attention of the right hon. Gentleman been called to the decision of the Lord Chief Justice in the case of the "Queen against Booth and others," in which Lord Coleridge laid down that processions in Whitechurch, although creating a temporary inconvenience, were not unlawful, and did not constitute an indictable offence?

MR. MATTHEWS: I have not yet had the advantage of perusing the Lord Chief Justice's judgment. In regard to the question on the Paper, I am informed by the Commissioner of Police that he has no knowledge of any such procession beyond what is stated in the paper referred to. As usual on such occasions, steps will be taken by him to prevent, as far as possible, obstruction in the streets, and inconvenience to the inhabitants of the Metropolis.

MR. DILLON: On a point of order, Sir, I would direct your attention to the form of the question. In the latter part of it it states that certain proceedings are "contrary to the wishes of the ratepayers and inhabitants of the Metropolis." I wish to ask you whether that statement, being one of a highly debatable character, ought to appear on the Paper, especially in view of the severity with which Irish questions are edited?

*MR. SPEAKER: Any allegation of a fact which is disputed ought not to appear in a question. This, however, is rather an expression of opinion than a statement of fact; but I think it would have been better if it had not been put in.

MR. SEXTON: I would ask you, Sir, whether expressions of opinion, as well as matters of argument, are not equally prohibited by the Standing Orders?

*MR. SPEAKER: It is contrary to the rule to ask a Minister what his opinions are on a given point. Expressions of opinion and allegations of fact that are disputed had better be avoided.

MR. CUNINGHAME GRAHAM: I understand you to say, Sir, that this question is objectionable, and, as two or three similar questions have been put, I would ask whether you will direct that such questions are to be ruled out of order?

*MR. SPEAKER: Yes; I can always direct a question to be ruled out of order if I think it to be so.

*MR. CREMER (Shoreditch, Haggerston): I would ask, Sir, by whose authority the question appears in its present form, because repeatedly it has happened that questions handed in at the Table are edited and expressions of opinion struck out, when the question is

put by any Member on this side of the House?

*MR. SPEAKER: The hon. Member is under some misapprehension. This question was not altered; it was an omission that it was not noticed. I think it ought to have been altered, but in the multiplicity of questions it escaped notice.

DAMARALAND.

MR. STANLEY LEIGHTON (Shropshire, Oswestry): I beg to ask the Under Secretary of State for the Colonies whether the Colonial Office has received any communications from the Government of the Cape, through the Agent General or otherwise, in reference to the confirmation of, or the continuance of, German influence over the immense territories of Damaraland and Namaqualand lying adjacent to British territory in South Africa, and, if so, whether he will state to the House the purport of such communications; and whether it is true that Kamaherero, the King of the Damaras, is desirious of coming under British protection?

BARON H. DE WORMS: Some confidential communications have passed with the Cape Ministers on this subject, but it would not be desirable to state the effect of them as negotiations are going on. Kamaherero has, in past years, expressed a desire to come under British protection, but the answer has always been that as Damaraland has been recognised as under German jurisdiction his wish cannot be met.

TABLE BAY FORTS.

MR. HANBURY (Preston): I beg to ask the Secretary of State for War whether his attention has been called to complaints in the Cape Parliament that the Imperial Government had not carried out their part of the contract in regard to the armament of Table Bay Forts, whereas the Cape Govornment had fulfilled their part of the agreement in the construction of earthworks, and otherwise; what is the cause of the delay; and whether the guns and equipment are being manufactured at Woolwich, or by private firms?

*MR. E. STANHOPE: Out of 40 guns for these forts, 31 have been issued, and of the remainder, all that are practically important should be issued by September, and the whole by the end of the year. The guns themselves are almost all ready, but delay has arisen with regard to the carriages. Some are manufactured by private firms and some at Woolwich.

BERMUDA.

SIR JOHN COLOMB (Tower Hamlets, Bow, &c.): I beg to ask the Secretary of State for War if he would state what was the aggregate number of members of the seven Committees, which, without a common link between them, have, at different times, advised the Secretary of State with regard to the defences of Bermuda, referred to in paragraph 65, page 22, Report of the Royal Commission on the Naval and Military Departments; and what was the aggregate number of naval, military, and civilian members respectively who served on these Committees?

*MR. E. STANHOPE: Twenty-seven Military, 5 Naval Officers, and 14 civilians, at one time or another, have been consulted as to some part of this question. The case referred to could not occur under the organisation now in force.

ORKNEY POLICE.

MR. LYELL (Orkney and Shetland): I beg to ask the Lord Advocate whether the management and maintenance of the police in Orkney is vested in the Standing Joint Committee, although the county is exempted from the Police Act of 1857; and, if not, who is responsible for the control and maintenance of the police?

*MR. J. P. B. ROBERTSON: By Section 76 of the Police Act of 1857, that Statute does not extend to Orkney and Shetland, unless Her Majesty in Council shall so direct. Those counties remain outside the Act of 1857, and the relative Police Clauses of the Local Government (Scotland) Act, 1889, an existing police force in Orkney being managed under an arrangement between the county and the burgh of Kirkwall entered into in 1858. I may point out, however, that it is in the power of the County Council to apply to Her Majesty in Council under the 76th section of the Act of 1857 for a direction that that Act shall extend to the County of Orkney.

THE POLICE AND THE RIGHT OF PETITION.

MR. CUNINGHAME GRAHAM: I beg to ask the Secretary of State for the Home Department if he will make inquiries about the alleged tearing up of a Petition from the police constables at Hunter Street Station, by Sub-Divisional Inspector Wakeford; and if the police are denied the right of petition?

*MR. MATTHEWS: I have made inquiry into this matter, and am informed by the Commissioner that no Petition was torn up by Inspector Wakeford. Two report forms, to which it is believed no signatures were attached, were accidently torn by the act of a police constable. The police are not denied the right of petition. Permission has been given to obtain the signatures of the men at the Hunter Street and other stations to such Petitions as they think fit to adopt.

THE MILITIA.

MR. RADCLIFFE COOKE (Newington, W.): I beg to ask the Secretary of State for War whether, by paragraph 359 of the Militia Regulations, Militia officers are specifically debarred from attending the classes formed at the School of Military Engineering, which officers of the regular Infantry are expected to attend; and whether, having regard to the important duties now assigned to the Militia under the mobilisation scheme, he will allow at least one officer in every Militia battalion to attend such classes, in order that in every battalion there may be an officer competent to superintend simple field engineering works. I have further to ask whether it is the intention to carry out the recommendation of the Committee appointed to inquire into certain questions affecting the Militia (Summary, p. xxxii.) that officers who, with the approval of their Commanding Officer and the Colonel of the district, attend garrison classes and obtain certificates, shall receive pay and allowances; also whether it is the fact that, as Colonel Grove states in his evidence before the Committee appointed to inquire into certain questions affecting the Militia (Question 212), the duties for which the Militia would be told off on mobilisation would be, broadly speaking, three, namely, first, to re-inforce the garrisons of all our home fortresses and ports; secondly, to re-place the Line Battalions that would be withdrawn from Ireland; and thirdly, to form the greater portion of the Third Army Corps, the organisation of which is now very nearly complete as regards the troops that are to compose it; if so, what, if any, opportunities are now afforded to Militia officers to learn the tactical part of the duties they would thus be called on to perform under this scheme of mobilisation for home defence?

*MR. E. STANHOPE: The staff of officers employed in the instruction of Army officers in garrison classes would not at present suffice if Militia officers were added to the class. Officers of engineer Militia are received at the School of Military Engineering. There is no room in the school for officers of infantry Militia. The duties of the Militia, in case of mobilisation, would be, broadly, as stated by Colonel Grove in his evidence before the Committee appointed to inquire into certain questions affecting the Militia. Militia officers are given every opportunity of presenting themselves at the periodical examinations in tactics. The officers of artillery Militia are virtually practised in tactics, as they are taught to work the heavy guns in the positions which in war they would have to defend.

ANTI-SLAVERY CONFERENCE.

SIR GEORGE CAMPBELL (Kirkcaldy): I beg to ask the Under Secretary of State for Foreign Affairs if he can now say whether the Representatives of the British Government have agreed to make the Anti-Slavery Conference an occasion for imposing heavy duties on merchandise in the free trade area of Africa, and a light or almost nominal duty on spirits; and whether Parliament will be consulted before advantage is taken of a Conference on another subject to put an end to free trade in ordinary merchandise while spirits are admitted on very easy terms?

*SIR J. FERGUSSON: Her Majesty's Government have agreed to Import Duties being levied purely for the discharge of the expenditure imposed by the General Act for the Prevention of the Slave Trade. The conditions of the

tariff are to be fixed by a negotiation, to be opened immediately after the signature of the General Act.

VENEZUELA.

MR. CREMER (Shoreditch, Haggerton): I beg to ask the Under Secretary of State for the Colonies whether the Venezuelan Government have offered to refer the dispute between them and Great Britain to arbitration; whether Her Majesty's Government have accepted the offer; and, if the offer has been declined, will he state the reason why?

*SIR J. FERGUSSON: Her Majesty's Government have made proposals to the Government of Venezuela for the settlement of the question, and have now received from that Government a counter proposal which is under consideration.

THE BRISTOL PILOTS.

MR. LLEWELLYN (Somerset, N.): I beg to ask the President of the Board of Trade whether the Provisional Order applied for by the pilots of the Port of Bristol, having for its object the due representation of that Body on the Pilotage Authority, as provided for by the Merchant Shipping (Pilotage) Act of last year, will be introduced and pressed forward during this present Session?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The Provisional Order to which my hon. Friend refers has to be finally settled and accepted by the pilots and shipowners who have applied for representation before a Bill to confirm it can be introduced. I intend to introduce such a Bill, if this can be done, in time for the matter to be considered during the present Session.

MALTA.

MR. SUMMERS (Huddersfield): I beg to ask the Under Secretary of State for Foreign Affairs what are the engagments referred to by Lord Salisbury in his instructions to Sir L. Simmons of 1st August, 1889, under which it is asserted that Her Majesty's Government have come for the enforcement of the Canon Law in Malta; what is the date of these engagements; and where can a copy of them be found?

*SIR J. FERGUSSON: The engagements referred to are contained in proclamations issued by Mr. Cameron, Civil Commissioner of Malta, dated 15th July, 1801, and Sir Thomas Maitland, the first Governor of Malta, dated 5th October, 1813, copies of which are in the Colonial Office Library.

MR. SUMMERS: I beg to ask the Under Secretary of State for Foreign Affairs whether the Canon Law is in its entirety the civil law of Malta; and, if not, what parts of the Canon Law are the civil law of the island, and when and by virtue of what stipulations, proclamations, or enactments did they become so?

*SIR J. FERGUSSON: It would not be possible to answer this question without a reference to the colony, but the Governor will be asked to report.

LEEDS GAS COMPANIES.

MR. CUNINGHAME GRAHAM: I beg to ask the Secretary of State for the Home Department if his attention has been called to the conduct of the gas companies of Leeds, who, by refusing a small rise of wages and other matters to their men, have exposed the Town of Leeds to riots and serious danger; whether he is aware that riots have taken place, that the city is in darkness, and that life and property is in danger; and if he will take steps to bring such a serious state of affairs to a conclusion?

MR. MATTHEWS: I have no information as to the particular points in dispute between the Gas Committee and their *employés*, but I regret to say that I learn from the Mayor that the peace of the town has been very seriously disturbed. All possible steps have been taken to insure the preservation of the peace, and negotiations are now in progress with a view to the settlement of the dispute. A meeting of the council is to be held this afternoon, after which I hope to hear from the Mayor that matters have been satisfactorily arranged, and that the town has resumed its normal state of quietness.

MR. CUNINGHAME GRAHAM: In reference to the first paragraph of the question, has the attention of the right hon. Gentleman been called to the conduct of the gas companies in Leeds, on whom I charge all the consequences which have ensued?

MR. MATTHEWS: I have received no information as to the points in dispute.

INDUSTRIAL SCHOOLS BILL.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I beg to ask the Secretary of State for the Home Department whether, with a view to obtain the general assent of the House to the Industrial Schools Bill, he can see his way to leave unrepealed Sections 27, 28, and 36 of the Education Act, 1870, so that the powers at present possessed by School Boards of maintaining, managing, and contributing to industrial schools, and of appointing officers for the purpose of bringing industrial school cases before the Magistrates, may be left unaffected?

MR. MATTHEWS: I have no assurance that the general assent of the House to the Industrial Schools Bill would be secured even by the radical changes in that Bill suggested by the hon. Member. I hope before long to be able to meet the Representatives of the School Boards, and to discuss with them the provisions they object to, with a view of arriving, if possible, at some arrangement.

THE ANGLO-GERMAN AGREEMENT.

SIR JOSEPH PEASE (Durham, Barnard Castle): I beg to ask the Under Secretary of State for Foreign Affairs whether the Anglo-German agreement provides that the German frontier in the latitude of Lake Ngami and up as far as the 18th degree of South latitude shall coincide with the 21st degree of East longitude, as named in the Despatch of 14th June from Lord Salisbury to Sir E. Malet, or whether it extends as far as to the Victoria Falls on the Zambesi River, as represented on the map in the tea room of the House. to which Members have been referred?

*SIR J. FERGUSSON; The Despatch referred to did not describe the final arrangement, which is correctly shown on the map in the tea room of the House.

MR. BRYCE: I beg to ask the Under Secretary of State when the full text of the Agreement relating to African affairs and Heligoland, signed at Berlin on Tuesday, 1st of July, by Sir E. Malet and Sir P. Anderson, on behalf of Her Majesty, will be laid before the House; and when the other Papers relating to the negotiations and Agreement with Germany which have been promised will be presented?

*SIR J. FERGUSSON: Papers relating to this matter will be laid upon the Table as soon as possible.

MR. BUCHANAN (Edinburgh, W.): I beg to ask the Under Secretary of State for Foreign Affairs whether the Anglo-German Agreement has been signed; and, if so, when copies of the Agreement will be in the hands of Members; and when the Bill for the cession of Heligoland will be introduced? The right hon. Gentleman has already answered part of the question, but I hope he will be able to answer the last paragraph.

*SIR J. FERGUSSON: The Agreement has been signed and certain Papers relating to it will be given with it. I believe that the Bill in regard to Heligoland will be introduced in the House of Lords, so, of course, it will not reach us immediately.

MR. WADDY: Are Agreements to be made between the German Empire and our own which will be binding on the House before such Agreements have been laid on the Table?

*SIR J. FERGUSSON: The Agreement in question was made in accordance with Constitutional usage, and will be laid before Parliament accordingly.

MR. MUNRO FERGUSON (Leith): Will the right hon. Gentleman have a spare sheet put in the map showing the boundary of Damaraland under the German Protectorate before the Anglo-German Agreement?

*SIR J. FERGUSSON: I am afraid that the information desired by my hon. Friend cannot be given. The boundary of Damaraland to the North had not been previously fixed, and any line would be quite imaginary.

MR. SUMMERS: I beg to ask the First Lord of the Treasury whether any communications have taken place between the Home Government on the one hand, and the High Commissioner for South Africa and the Government of the Cape Colony on the other, with reference to the proposed Anglo-German Agreement; and, if so, whether he will state to the House what the nature of these communications has been?

*MR. W. H. SMITH: Various communications have been received from the High Commissioner expressing a hope that Lake Ngami and district would be preserved to this country. His wishes are carried out by the Anglo-German Agreement. Some communications have also passed with the Cape Government, but of a confidential character, the effect of which it would not be desirable to state, as negotiations are going on.

DORMANT FUNDS IN CHANCERY.

MR. STANLEY LEIGHTON: I beg to ask the Attorney General if, in reference to the dormant funds in Chancery, he will consider whether the publication of the lists may not be made more useful to the public by giving the names of the estates and "matters" which are the subject of the suits, in addition to the titles of the suits; and whether the office still retains its objections to publishing the amounts of money to the credit of each suit?

SIR R. WEBSTER: As to the first paragraph of the hon. Member's question I am informed that the particulars to be given in the lists in question are controlled by the order of the Treasury. I will make inquiry as to whether the suggestion of the hon. Member as to giving increased information is considered desirable. As to the last paragraph, I must refer the hon. Member to the answer given by my right hon. Friend the Secretary to the Treasury. I understand the office still think that, inasmuch as the amounts from time to time vary, it would be inconvenient to attempt to publish the amount of money to the credit of each suit.

COMPANIES (WINDING-UP) BILL.

SIR GEORGE CAMPBELL: I beg to ask the First Lord of the Treasury when the Government propose to proceed with their Companies (Winding-up) Bill, which has already passed the Standing Committee on Trade?

*MR. W. H. SMITH: I hope it may be possible to proceed with the Bill on an early day. I understand it is not likely to give rise to lengthened Debate.

TITHE RIOTS IN WALES.

MR. STANLEY LEIGHTON: I beg to ask the First Lord of the Treasury whether he is aware that violent resistance to the payment of tithe rent-charge has been renewed in Wales; that at Llannefydd, in the Vale of Clwyd, Mr. Stevens and a distraining party were unable to proceed with the recovery of tithe rent-charge by the ordinary means provided by the law owing to the disturbance of rioters; that stones were thrown, and one of the emergency men injured; whether he is also aware that there are at present arrears of tithe rent-charge in Wales amounting to thousands of pounds; that grave breaches of the peace are anticipated during the winter should remedial legislation be any longer denied; and whether, in the interests of law, order, and justice, he will recommend the House to proceed with the Tithe Rent-Charge Recovery Bill in the present Session?

*MR. G. OSBORNE MORGAN (Denbighshire, E.): Is the right hon. Gentleman aware that the unfortunate occurrences referred to in the first paragraph of the question are largely due to the indiscreet and injudicious conduct of Mr. Stevens himself, and that in cases where the Ecclesiastical Commissioners have employed another agent to collect tithes no disturbances whatever have occurred?

*MR. W. H. SMITH: I desire to avoid entering into any controversial question as to the action of the officers of the law engaged in collecting tithe, and I trust my hon. Friend will not ask me to express any opinion on the subject. I venture to hope that the tithepayer in Wales will come to see the impost is one which the law requires him to pay, and which he is not entitled to possess himself of, or refrain from paying. All I can say is that I hope the House will be enabled to pass the Bill.

WAR OFFICE AND ADMIRALTY VOTES.

MR. JENNINGS (Stockport): I beg to ask the First Lord of the Treasury whether he has considered that, under the arrangement lately made by the Government, the time allotted for the War Office and the Admiralty Office Votes is likely to be swallowed up by speeches on technical questions of Military and Naval administration, thus preventing any adequate examination of the actual ex-expenditure of those Offices; and whether, having regard to the explicit promises more than once made by the Govern-

ment that ample opportunity should be afforded early this Session for bringing before Parliament the excessive expenditure in these Offices, he will either postpone a general Debate on the organisation of the Services, or arrange that the Votes shall be taken again at an early date for their proper and legitimate discussion.

*MR. W. H. SMITH: I shall endeavour to arrange that an opportunity be given for discussion of the Votes.

THE MAHARAJAH OF KASHMIR.

MR. BRADLAUGH (Northampton): I beg to ask the First Lord of the Treasury whether his attention has been called to the refusal of the Secretary of State for India to order any open inquiry into, or to give any opportunity to the Maharajah of Kashmir to be heard against, the allegations of crime, misconduct, and misgovernment, under cover of which the Maharajah has been deprived of his authority and revenues as a reigning feudatory Prince; and whether the Government will consent to the appointment of a Select Committee of this House to inquire into this case?

*MR. W. H. SMITH: The Maharajah of Kashmir has been required to withdraw for a time from active participation in the Government of his State—not in consequence of allegations of crime and misconduct, but because the reforms urgently required in the interest of the people of Kashmir cannot be carried out without his so doing. No Select Committee could, with advantage to the Public Service, inquire into the case.

*MR. BRADLAUGH: In consequence of the answer of the right hon. Gentleman I beg to give notice that on the conclusion of questions I shall ask leave to move the adjournment of the House.

HELIGOLAND.

MR. SUMMERS (Huddersfield): I beg to ask the First Lord of the Treasury whether, before the cession of Heligoland to Germany was determined upon by the Secretary of State for Foreign Affairs, the Governor of the Island was consulted; and, if so, what was the opinion to which he gave expression in relation thereto?

*MR. W. H. SMITH: I have already stated that the Governor of Heligoland was in England during the time that the cession was being considered; but any communications which passed with him must necessarily be considered as confidential.

SIR W. LAWSON (Cumberland, Cockermouth): Is there not some kind of Executive Council in Heligoland?

*MR. W. H. SMITH: I stated that there was two days ago.

SIR W. LAWSON: Was that Council consulted?

*MR. W. H. SMITH: I am not aware, Sir.

MR. PICTON (Leicester): Will the right hon. Gentleman tell us whether the Governor of Heligoland took any steps himself to ascertain the views of the inhabitants?

*MR. W. H. SMITH: I have every reason to believe that he was fully informed. As the population of the Island is only 2,000, it cannot be difficult for the Governor to be so informed.

MR. MONTAGU (Tower Hamlets, Whitechapel): On behalf of my hon Friend the Member for Hallamshire (Sir F. Mappin) I beg to ask the First Lord of the Treasury, with regard to the statement that the Anglo-German Agreement depended upon the Bill to be introduced to Parliament for the cession of Heligoland, whether there is any truth in the report that the Agreement was signed at Berlin on the 1st inst. by Her Majesty's Representatives; and whether he will state if Her Majesty's Government have anticipated the decision of this House upon a question of such vital importance by permitting the said Agreement to be signed?

SIR G. CAMPBELL: May I ask whether the possession of an island situated in the furthest part of the German Ocean, without a harbour, without water, without even a lawyer, can really constitute a question of vital importance?

*MR. W. H. SMITH: It is not for me to say what may or may not be deemed a matter of vital importance by the hon. Member. We are frequently reminded by him of matters which he deems to be of vital importance. In reply to the question on the Paper, I have to say that the Article ceding Heligoland makes the cession subject to the assent of the British Parliament.

NEWFOUNDLAND FISHERIES.

MR. EDMUND ROBERTSON (Dundee): I beg to ask the Under Secretary of State for the Colonies whether the Commanding Officers of Her Majesty's vessels have on different occasions ordered the removal of lobster cages set by and belonging to British subjects, and have forbidden the taking of lobsters on certain portions of the Newfoundland coast; if so, were the orders of such Officers given under instructions issued by Her Majesty's Government; will such instructions be laid upon the Table of the House; and under what Law of the Imperial Parliament or the Newfoundland Legislature, or in virtue of what prerogative of the Crown, were such instructions or orders issued or given?

*SIR J. FERGUSSON: The Naval Officers have general instructions that British fishermen should be prevented from interfering in any manner with the free enjoyment of the French fishermen of their rights of fishery, and they have been instructed, as will be seen from Papers recently given to Parliament, to give warning that lobster traps must be removed when French fishermen are actually desirous of fishing in the waters which are occupied by the traps, but that the traps can be re-set after the waters have been left by the French; but it is not intended that French fishermen should be allowed to supplant the traps by any traps of their own. It is the duty of one nation to carry out its Treaty obligations to another, and the above instructions are framed in pursuance of that duty. It is, however, reported in the newspapers that legal proceedings have been taken against the Commander of one of Her Majesty's ships, and, under these circumstances, no answer can be given to the last part of the hon. Member's question.

ZANZIBAR.

MR. LABOUCHERE (Northampton): I beg to ask the Under Secretary of State for Foreign Affairs whether in 1862 an agreement was entered into between this Country and France, by which both countries undertook to respect the independence of Zanzibar; whether in 1885 Germany adhered to that agreement; whether the agreement now entered into between this Country and Germany, by which this Country assumes a Protectorate over Zanzibar, is dependent upon France agreeing to release this Country from the obligation into which she entered in 1862, to respect the independence of Zanzibar; whether the Protectorate involves us in the obligation to defend Zanzibar if attacked by any other Country; whether, by the 23rd Article of the Berlin Conference, any of the signatories to that Act, desiring to establish a Protectorate over any part of the African Continent, must give notice of the intention to the other signatories; and whether this notice has been given in regard to Zanzibar, and to other portions of the African Continent, over which this Country has assumed a Protectorate?

*SIR J. FERGUSSON: My answer to the first question is, Yes. As to the second question, Germany adhered to the agreement in 1886. With regard to the third and fourth questions, communications are going on between the two Governments with reference to the Convention of 1862, and I cannot, therefore, say anything with respect to it at present. The 23rd Article of the General Act of the Conference at Berlin (of February 26, 1885) relates to loans. The 34th Article says that any power which henceforth takes possession of a tract of land on the coasts of the African Continent, or assumes a protectorate there, shall notify the same to the other signatory Powers. This engagement only applies to the African coasts, and not to the African Continent generally. This country has not yet assumed a protectorate over the island of Zanzibar.

THE ANTI-SLAVERY CONFERENCE.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I beg to ask the Under Secretary of State for Foreign Affairs whether the general Act of the Anti-Slavery Conference has been actually signed by all the Powers represented at the Conference with the exception of Turkey and Holland; whether Turkey assents to the Act and will sign the agreement; whether it is true that Holland refuses to sign, and, if so, on what grounds; and whether her refusal will prevent the ratification of the general Act?

*SIR J. FERGUSSON: The general Act has been signed by all the Powers except Turkey and Holland. The Turkish Plenipotentiary has assented to the Act, and will sign as soon as the necessary authority is received from Constantinople. The Dutch Plenipotentiary assented to the general Act, but not to the declaration attached to it authorising the levy of Import Duties in the conventional basin of the Congo. He did not, therefore, sign. The time allowed for the exchange of ratifications is 12 months. It may be hoped that before that time has expired the assent of Holland will have been obtained.

DETENTION OF PRISONERS.

MR. DILLON (Mayo, N.): I wish to ask the right hon. Gentleman the Chief Secretary for Ireland a question without notice. It is, whether his attention has been directed to the occurrences at Waterford Gaol two days ago, when the Governor of the prison refused to admit to bail two prisoners who had a right to be admitted to bail, on the ground, as the Governor stated, that he would not take any bail unless a Resident Magistrate was present; whether this action by the Magistrate was in accordance with the law; whether the excuse given to the two gentlemen who were detained in gaol for 24 hours after they ought to have been released is that the Governor telegraphed to Dublin for instructions, and that the telegraph clerk made a mistake in the reply which was sent; and whether it is not the duty of all Governors of Irish prisons to know under what circumstances prisoners should be admitted to bail?

MR. MADDEN: Perhaps, as I am aware of the facts, the hon. Gentleman will allow me to answer the question. It is the fact that the Governor of the gaol telegraphed to the Prisons Board for instructions. The reply sent was that an ordinary Magistrate could act; but by an error—a rather important error—in transmitting the telegram it arrived in the form that an ordinary Magistrate could not act. That was the cause of the regrettable incident. The hon. Member is quite correct in his views as to the law.

MR. DILLON: This is really a matter of considerable importance. These gentlemen were detained in prison illegally for 24 hours. I want to know why the Governor telegraphed for instructions at all. The law affecting bail prisoners ought to be known to every Governor in Ireland who understands his duty; and what the Attorney General for Ireland has failed to answer is, whether it is not the duty and business of Irish Governors of gaols to know under what circumstances they can admit, or must admit, to bail prisoners who are lying under rule of bail. Did not the Governor in this case break the law, which he ought to have known? If so, what course do the Government intend to take to show their disapprobation of the Governor's conduct?

MR. A. J. BALFOUR: The idea of reproving the Governor for breaking the law in this case has never entered my head. No doubt it would have been desirable that the Governor should have been thoroughly acquainted with the law, but as he was not certain he did the best thing he could, and telegraphed to Dublin for specific instructions. The error arose, not out of any *laches* on the part of the Governor, but out of the blunder of the telegraph clerk.

MR. DILLON: Are we to understand that these gentlemen who were illegally detained are to have no redress at all, and does the right hon. Gentleman mean to say that it is not the duty of the Governors of Irish prisons to understand the most elementary conditions of their duty? I would ask whether the Governor's ignorance of the law is not the result of gross and culpable negligence?

MR. A. J. BALFOUR: I cannot agree with the hon. Member as to the applicability of the epithets which he has used. If these gentlemen have been wrongfully detained, they have a legal remedy.

THE POLICE SUPERANNUATION BILL.

SIR W. HARCOURT: I wish to ask whether the First Lord of the Treasury means to proceed to night with the Motion for referring the Police Superannuation Bill to a Standing Committee? I learn from the Chairman of the Standing Committee that it will be impossible to consider this Bill for some time. Therefore, by sending it to the Grand Committee, you will be taking a course

which may prevent the measure from being passed this Session.

*MR. W. H. SMITH: We hold the view that to refer the Bill to a Standing Committee is the best method of endeavouring to insure its passing this Session, with the concurrence, of course, of the House and the right hon. Gentleman himself. I should be very much surprised to hear that the Law Committee have work on hand that will keep them for more than a very few days. The Motion for referring the Bill will not be taken to-night, but to-morrow.

PUBLIC BUSINESS.

SIR H. VIVIAN (Swansea, District): I desire to ask the First Lord of the Treasury, who has expressed his hope that the House will pass the Tithe Bill, after what date he will not consider it his duty to press that very contentious measure upon the House, in view of what occurred last year?

*MR. W. H. SMITH: Perhaps the hon. Baronet will allow me to defer making any statement with regard to the particular date of a particular measure until after the House has had a little more time for progressing with business. I undertook, last Monday, at the suggestion of right hon. Gentlemen opposite, to refer to-day to the question of public business, and I should have been very glad if it had been possible for me to make definitive proposals to the House with a view to the winding up of the business of the Session, which I am aware Gentlemen on all sides of the House desire to see accomplished as early as possible. I would remind the House that the Government have thought it right to propose to the House the consideration of a Standing Order which is intended to provide for the better forwarding of Public Business in this and in future Sessions, and that the whole question of the consideration of the best method by which business may be forwarded has been referred to a strong Committee, which is now considering the question, and which I hope may be able to report in the course of a few days. It will then, without doubt, be the duty of the Government to make some proposals to the House, after they have considered the Report of that Committee, and those proposals must very considerably affect the arrangements the Government will ultimately make for the conclusion of the business of the Session. In these circumstances, I do not feel in a position to offer to the House any suggestion as to the period within which, or as to the method by which, the business of the House should be concluded. The House is aware that we have endeavoured to proceed during the last few days with Bills that have been generally of a non-contentious character. Those Bills will be proceeded with, and I have stated that Supply will be taken to-night, and, I hope, after the consideration of some other non-contentious measures, to-morrow night and during the whole of next week. I trust the House will feel that, having made arrangements in the circumstances of the case for the conduct of business, so far as next week is concerned, I am at liberty to request hon. Members to wait for the consideration of the Resolution to be arrived at by the Committee upstairs before I state to the House definitely the recommendations the Government propose to make with regard to the remaining business of the Session.

MR. HUNTER: As to the Scotch Police Bill, is it proposed to proceed with it to-night? I may point out that it will be impossible to agree with the recommendation to refer the matter to a Select Committee, unless it is taken at such an early hour as to afford a fair opportunity for the discussion of an Instruction I have put down. If the Government are prepared to accept the Instruction no doubt progress with the Bill will be facilitated.

*MR. W. H. SMITH: It is not proposed to proceed with the reference to the English Police Bill to the Standing Committee to-day, but we hope to proceed with it to-morrow. I trust we may also proceed with the reference to a Select Committee of the Scotch Bill to-morrow, and that hon. Members opposite will assist us in effecting that object.

MR. A. M'ARTHUR (Leicester): When will the Third Reading of the Western Australia Bill be taken?

*MR. W. H. SMITH: I believe to-morrow.

MR. E. ROBERTSON (Dundee): Will the Scotch Police Bill be taken before the English Bill?

*MR. W. H. SMITH: No, Sir.

*Mr. CREMER (Shoreditch, Haggerston): Do I understand the First Lord of the Treasury to say that the Western Australia Bill will not be taken to-night? It is on the Orders of the Day, and the right hon. Gentleman has intimated that it will be taken to-morrow. Are we to understand that the Government will not bring it forward to-night?

*Mr. W. H. SMITH: I have every reason to believe that Supply will occupy the whole evening.

Sir G TREVELYAN (Glasgow, Bridgeton): What Supply do the Government intend to take to-morrow?

*Mr. W. H. SMITH: I hope we may be able to dispose of the War Office Vote this evening, but if it is not disposed of to-night we must take it to-morrow.

PUBLIC PETITIONS COMMITTEE.

Fourteenth Report brought up, and read; to lie upon the Table, and to be printed.

MOTIONS.

MAHARAJAH OF KASHMIR—TREATMENT BY THE GOVERNMENT.

MOTION FOR ADJOURNMENT.

(4.55.) Mr. Bradlaugh, Member for the Borough of Northampton, rose in his place, and asked leave to move the Adjournment of the House, for the purpose of discussing a definite matter of urgent public importance, viz.—

"The taking away by the Government of India from the Maharajah of Kashmir of the Government of his State and part of his Revenues, whilst refusing to allow any judicial or Parliamentary inquiry into the grounds for such action against a great feudatory Prince."

But the pleasure of the House not having been signified, Mr. Speaker called on those Members who supported the Motion to rise in their places, and not less than 40 Members having accordingly risen,

*Mr. BRADLAUGH: I am obliged to move the adjournment of the House, because it is the only possible way in which any appeal for the Maharajah of Kashmir can be submitted to Parliament. The Government of India have deprived this Chief of his authority and of his property under cover of allegations, which are emphatically denied by the Maharajah himself. The Maharajah, as I shall show, has applied for a trial in India. That has been denied him. The Secretary of State here has been asked to sanction an inquiry, and has refused; the Leader of the House has been asked to appoint a Select Committee of Inquiry, and has also refused, so that neither judicial, nor Parliamentary, nor Governmental inquiry is being allowed, although this gentleman has been subjected to penalties which, in the case of the meanest person in this country, would entitle him to have the accusations brought before some tribunal, and witnesses against him heard. There is no other manner of bringing this matter before the House than by moving the adjournment. Though I can understand that hon. Gentlemen opposite may think it unfair that the adjournment should be moved, they must remember that on Indian matters I have always shown the greatest consideration to the Government; so much so, that at the beginning of this Session I did not avail myself, as I might have done, of my right to move an Amendment to the Address, and I only now make a Motion for the adjournment, because there are no Estimates in Supply on which, as in any case affecting any other portion of Her Majesty's Dominions, a question of grievance may be raised. It is either in the manner I am raising it to-night, or not at all. Now, on May 14th of last year—that is more than 12 months ago—the Maharajah himself asked the Government of India for a fair trial. I will read to the House presently the touching words in which that appeal for a fair trial was made. From then till now, except in a Despatch, from which it will be my duty to quote, no kind of answer has been made to that appeal, and the Maharajah has been condemned unheard. I should have pressed this claim for inquiry 12 months ago, but there were then no Papers before the House. It would have been open for the Government to say, in the fashion in which rumour has said, that this unfortunate gentleman had been guilty of crime, or was suffering the consequences of vice, because these suggestions could be found embodied in official Despatches, to which I shall refer, and that there was, therefore, a lack of duty in bringing the matter before the House until the Government had put before it the statements on which they rely. Although this unfortunate Gentleman

was deprived of his authority and his property at the beginning of last year, the presentation of Papers has been delayed until last week. They have been repeatedly pressed for by myself and other Members. Until the Government had put their case on the Table anyone would have been at a great disadvantage in submitting to this House any matter for its decision. I do not propose to ask the House, in the Division I shall challenge, to express any other opinion on the facts I shall submit than that when such a penalty is enforced against the prince, with whom we have a treaty—who has recently been regarded as being in the position of a feudatory prince, the man so dealt with is entitled to that which any other subject of Her Majesty, if he be a subject of Her Majesty, is entitled to, namely, a fair trial before condemnation. The Under Secretary must not shelter himself under considerations of State. If considerations of State justify the Government of India in depriving one man of his authority and property unheard, there is no protection for any one, be he prince or peasant, throughout the whole of our Asiatic dominions. The other day the question was stated as simply as possible in the language of the right hon. Gentleman the Under Secretary for India (Sir J. Gorst), in answer to a question put by myself. The right hon. Gentleman said:—

"The action of the Government in Kashmir has been based not upon grave personal charges made against the Maharajah."

I would ask the House to remember that, because this man's character has been rumoured away and lied away, with the help of forged letters, during the last year and a half—forged letters used as instruments of political warfare—letters, the authority of which has been denied by the Maharajah, letters which have never been produced in his presence, and yet which, the Government have the face to refer to in their worst fashion in one of the Despatches I shall read to the House. I shall be relieved from any question as to the personal conduct of the Maharajah. He may be good or bad; I do not care what he is—he is entitled to justice. If he has been criminal, let him be condemned and punished; but do not rob him under cover of a criminalty which you dare not bring in evidence against him, and as to which you will allow no inquiry, either in India or here. The right hon. Gentleman the Under Secretary said the action of the Government was based upon the long-continued mis-government of Kashmir. Well, this unfortunate gentleman has only been the ruler of Kashmir for about five years; and I will quote, to within a few months of the time he was dispossessed, the testimony of the Government itself, that mismanagement did not exist as far as it was in his power to help it. I cannot conceive—I should not be justified in saying before you, Sir, anything more impudent—but I can conceive nothing more cool than the audacity of the confidence that this House would be imposed upon by the statement of the right hon. Gentleman the Under Secretary, that there had been long-continued misgovernment in Kashmir, such as justified the dethronement of this man. Vague statements there are here, but not one statement of fact. Mis-government must be made up of something. You may shadow a man, put him unjustly in prison, or take away his property. None of these things are alleged against this unfortunate gentleman. Well, the right hon. Gentleman went on to say that the Government of India have never attached any importance to certain treasonable and criminal correspondence attributed to the Maharajah. It would have been as well not to have described the character of the correspondence, if no importance was attached to it. Why suggest that it was criminal and treasonable if it was not true, as it was not, that he was responsible for it. I do not suggest that the right hon. Gentleman has made an inaccurate statement, but I do say he has been ignorant of the facts. I will read the evidence given by the Viceroy himself with regard to this correspondence, which the right hon. Gentleman dare not lay before this House, which he dare not put in print, but on which the emissaries of the Government have lied away the Maharajah's character during the last year and a-half. I will dispose of this point at once, because, fortunately, we have the Papers on the Table, and are able now to deal with them. So far from its being true that the Government have never attached the smallest importance to the correspon-

dence, the Viceroy himself says the Government were justified "not merely by the disclosure of these letters"—so that they consider themselves in part justified by them. [Sir J. GORST indicated dissent.] The right hon. Gentleman shakes his head. It is the Viceroy's head that should be shaken here. I admit that the right hon. Gentleman dare not rely on the letters. I admit the right hon. Gentleman has too much good sense to use in justification of the position assumed by the Government letters, which the man himself declares to be forgeries, and which the Government have never dare to produce to his face. But in a long Despatch, dated Simla, June 26th, 1889, I say the Viceroy did say these letters were things on which the Government acted in condemning this unfortunate gentleman. What did the Maharajah himself say about these letters? In a letter which, unfortunately, time will not permit me to read fully to the House, he made a plea for justice, first to the Government of India, and then, through the Government, to the English Parliament. He said, "These letters are nothing but most daring forgeries," and he suggests that one of the forgers, if not the only forger, is his brother, whom the Government of India has placed in the position of authority, of which they have deprived this unfortunate gentleman himself. My allegation will be that it was on these letters—for the Papers disclosed nothing else, and, further, negative everything else—that this action of the Government was based. [Sir J. GORST again expressed dissent.] The right hon. Gentleman shakes his head, but I have read the Papers, which he evidently has not done himself, and I shall read extracts to the House to show I am within the mark in every statement of this kind I make. Why did the Government of India, 12 months ago, say they did not merely act on these letters? What did that phrase mean if they did not act on them at all? Have the Government since discovered they are forgeries? If so, as they are part of the case on which misgovernment and criminality are alleged against this unfortunate gentleman, the whole story, if it does not fall to the ground, at any rate, rests on other matters, with reference to which this man demands to be put on his trial, and as to which no evidence has been offered. Lord Cross, speaking last year at Sheffield, used words little stronger than, and, if I may be allowed to say so, not quite so skilfully as the euphemistic language of the First Lord to-night, and of the right hon. Gentleman the Under Secretary last week. He said:—

> "We did interfere in the matter of Kashmir; why? Because the people of Kashmir were so ground down by the tyranny and misgovernment of the Maharajah that we were bound as the paramount power to interfere for the protection of the interests of the inhabitants.

Where, in these Papers, is there one instance of grinding down? If you want to steal Kashmir, as, unfortunately, we have stolen, often stolen, in India and other parts of the world, then say so at once, and at least have the merit of honest thieves. Do not be hypocritical by saying you set up self-Government where self-Government has no existence. What is the position of Kashmir towards this country? Fortunately, the history is not long so far as it affects this unfortunate man, and I will deal with it as briefly as it is possible to do. The history of Kashmir, for the purpose of to-night's discussion, began with the Treaty of 1846, with the grandfather of the gentleman whose cause I am pleading. Then, for a considerable money payment, recorded in the 3rd section of the Treaty, the British Government transferred and made over for ever, in independent possession, to Maharajah Golab Singh and the heirs male of his body, the territory which includes Kashmir and Jummoo. This is not a case of an ordinary feudatory State. So little was it regarded as a feudatory State, that in the Statistical Abstract of this very year you have the evidence of its non-inclusion up to 1881 amongst the feudatory States; and there was never anything to suggest that we had a right or duty to send a Resident there until 1885, on the death of the father of the present Maharajah. I will not trouble the House with what has passed until the few days before the commencement of the reign of the present chief. The Maharajah Golab Singh, with whom the Treaty of the 10th of March, 1846, was made, was succeeded by his son about the time of the Indian Mutiny, and Lord Canning, in an official document, gave Maharajah Rumbir Singh,

who had succeeded Golab Singh in 1857, the *Sanad* of adoption, which provided that in case of failure of issue, he and his successors would be competent to adopt an heir, and thus perpetuate the line. This was given on the ground of the great service rendered by the Maharajah during the mutiny. The Maharajah Rumbir Singh was ill in 1884, and I am afraid that some 14 or 15 years ago, when Jingoism was specially paramount in the making of great military frontiers and things of that kind, we looked with longing eyes upon the property of others, and were disposed to ignore any sense of justice in our dealings with them. It was then said that Rumbir Singh had misgoverned his country. If he had, it was a matter with which, except as being, by treaty, the paramount power, in which case we might have made remonstrance, we had nothing whatever to do. But, as a matter of fact, we made no remonstrance to him. The Under Secretary of State dissents. Then why is it not in the Papers? The Papers began in 1884 with a Despatch relating to the alleged misgovernment during the time of the present Maharajah's father. The words of the Despatch precluded the possibility of remonstrance having been made. But what happens is that while the Maharajah is dying, the Viceroy of India, looking to the matter, as he says, with a view to his troublesome neighbours on the North West Frontier, certain reforms are suggested which, on the accession of the son of the then dying man, it would be well should be carried out, and I will read to the House, in the words of Lord Dufferin himself, the admission that many of these reforms had been carried out during the short period that this gentleman sat on the Throne. In 1885 the succession of Prapat Singh was formally recognised by the Government. He came to the throne under the Treaty which I have read to the House. One new departure there was against which the Maharajah protested namely, the establishment of a Residency instead of Kashmir being an independent possession, which, under the Treaty, it was, subject to the supremacy of the Empress Queen. After the appointment of a Resident, it is a monstrously unfair thing to spring a mine four or five years afterwards, and allege, as an excuse for confiscating property and power, that there had been misgovernment, where, if there had been misgovernment, it should have been reported day by day, week by week, month by month, and year by year. There are no such Reports. If the Secretary of State has got them, he ought to have printed them. I am not asking the House to say that this unfortunate man is guiltless, but I am asking them to say that he is entitled to be tried, and to have an inquiry before he is deprived of his rights. In 1890 the Government deprived this gentleman of his chieftainship. By what right? By no right save the right of force. By what law? By no law save the law of force. Upon what charges? Upon charges of the vaguest description. It is clear these Papers are delusive Papers. There must have been Reports made by the Viceroy, which Reports ought to be in the hands of the House. If it is said that they are of confidential character—if it is said they cannot be produced, at any rate, the witnesses who can prove the occasions of misgovernment ought to be produced in some Court. Is it because this man is rich; is it because his property is in a place where you want to have property because of frontier considerations; is he to be deprived of the right which you admit to the meanest person accused within this country, or within the Asiatic dominions of the Empress Queen herself? It is a monstrous thing, and I ask the House to look at it without consideration of Party, because you must remember it is not a question only of this man, but of every feudatory prince whose property you may want to take and merge in our dominions. The Papers have not been put on the Table in a hurry. They have been in the skilled hands of the Under Secretary. We all know how frank the Under Secretary can be if he likes, and I ask him to tell the House how many Papers relating to these important Despatches between the Government of India and the Secretary of State have been kept back, and why? It is clear some have—the language shows it. Why are any kept back? They have been kept back because the action of the Government cannot be defended. I do not know what the charges are against the Maharajah, and I am only

asking that this Parliament shall say that the Government of India, however powerful, and whatever the State considerations are, has no right to rob this man. On the 14th of September, 1885, the Viceroy sent a Despatch, to which I must allude for a moment. It was sent just on the accession of the present Maharajah to the throne, and I allege to the House it makes a clear Bill up to that time, so far as any charges of misgovernment entitled our Government to interfere. The Viceroy says:—

"I trust that your Highness's life may be long and prosperous, and that in all difficulties, of whatsoever kind, you will rely with confidence upon the good will of the British Government, which will never fail you so long as you are loyal to the Crown and earnest in the desire to rule your State with justice and moderation. Your Highness has before you a difficult task. During the illness of your father, the administration of the State became seriously disorganised, and it will be necessary for you to introduce many reforms."

I will show you that three years after, in Lord Dufferin's time, reforms had been admittedly carried out, and that misgovernment is an excuse for stealing the man's property. The Maharajah wrote in reply protesting against the Residency being placed upon him. He said—

"I do not hesitate to admit that the existing state of affairs in Kashmir and Jammu urgently requires immediate introduction of substantial reforms into the administration of the country, and now that you have power commensurate with my responsibilities, I beg to answer your Excellency that nothing shall be spared on my part, and no time will be lost to prove beyond any possibility of doubt that it is my ambition to succeed in making my country a model of a well-governed State in alliance with the Government of India."

Having got the Resident at the capital, what do we find? We find that the Resident wants to get rid of the Maharajah, he submits some Report to the Government, the particulars of which we do not know, and a Report, the particulars of which we do know, dated March 5th, 1888. Let me point out, in the first place, that in the Despatch of the 5th of March, 1888, there is nothing to justify any of the words of Lord Cross at Sheffield, or the words of the Under Secretary of State last week, as to misgovernment, or the words of the First Lord of the Treasury to-night. Now, what was the decision the Government of India came to in August, 1888? It was that the condition of the State did not seem to demand much action, as Mr. Plowden had suggested, and that the Government had, therefore, determined not to resort to measures which would have the effect, directly or indirectly, of taking the power out of the Maharaja's hands. Yet in less than seven months after that Despatch power was taken out of his hands, and taken out solely on these letters. Solely, perhaps, is a strong word to use; but immediately after taking possession of these letters suggesting the worst of crimes—letters which the Maharaja had always denied, and as to which he is always entitled to be heard before a Select Committee of this House, or before the Viceroy himself. He had confidence in the British Government; but he had no confidence in the officials, whom, he said, misrepresented him. The decision that there should be no interference with the Maharaja, directly or indirectly, disposes of Mr. Plowden's Report of the 8th of March, 1888. I come now to April, 1889, when we had some further action. I will first mention that on the 25th of July, 1888, Lord Dufferin wrote—

"I do not overlook the fact that, since the appointment of the Council of which Diwan Lachman Dass was a member, considerable progress has been made in the direction of reform; useful work has been done with regard to the revenue administration, and in the reorganisation of the Public Works and Medical Departments. But much remains to be done."

This is not the language of condemnation of the chronic mis-government and the grinding down of the people. Misgovernment is only an invention—an excuse for having dispossessed this man—and I think I have a right to quote this evidence given by Lord Dufferin in 1888. This unfortunate prince, hampered by the Resident, who dictated the policy he should pursue, did make reforms as entitled him to the praise of Lord Dufferin, a statesman of the greatest eminence, of the keenest judgment, and a man who cannot be charged with being at all partial to the class of man I am defending here this afternoon. Now, I come to these horrid letters. There is a batch of 34, and the Maharaja says that they are all forgeries. I do not ask you to say whether they are or are not, but I say that if they are used against him he is entitled to go into Court and cross-examine the witnesses

against him. Other letters on which the Government have relied have been abandoned as forgeries within the memory of many of us in this House. What is the character of them as described by the Resident? The character of them is that the Maharaja offered large sums of money to certain individuals on condition that they would murder, or cause to be removed, Mr. Plowden, the late Resident. It is alleged that these letters showed treasonable correspondence with the enemies of England. All these things are denied by the Maharaja. I do not ask you to say whether the Maharaja is right or wrong; but I say that when letters alleging murder are produced against a Prince, with whom we have a Treaty of Alliance, immediately after which we take away his property, the commonest and the merest justice demands that he should have an opportunity of being heard before a Select Committee of this House, or some tribunal competent to deal with his offence, if offence he has committed. The Government are not going to stand by these letters to-night, but the Viceroy has stood by them, and I will read you words in which they are so stood by. The Viceroy said—

"In the spring of this year,"

that is last year,

"my attention was called to the documents referred to in your Highness's letter. Many of these had every appearance of being genuine, and they have, moreover, a striking resemblance to those other papers of which I have already spoken, and which came into the possession of the Government of India at a previous time.

"Your Highness is correct in expressing your belief that the action subsequently taken by my Government was not justified merely by the disclosures contained in these letters."

Where is the report upon which they acted? The man had a right to be tried. The letters are vague statements. The Viceroy goes on—

'Notwithstanding the ample resources of your State your treasury was empty."

Well, if you are going to dethrone every Prince whose treasury becomes empty I do not know how far you are prepared to carry your policy. Does the Government really mean that? If that be so, how is it they took from this man the advance or deposit or loan of a large sum of money amounting to 25 lacs of rupees? They had this in their hands when the Treasury was empty. Why did they take money for Lady Dufferin's admirable Fund? Why, if the treasury was empty, did they take millions of rupees for railway works in the interest of frontier defence? Treasury empty! Why you and your Resident helped to empty it, and then you tell this unfortunate man it is a reason why he should be dethroned?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): Will the hon. Gentleman finish the sentence?

*MR. BRADLAUGH: You put on the Table what you please, and with the House half empty, because every Member feels the difficulty when a Motion for adjournment is moved, I have, with such knowledge as is supplied, to make what case I can with this far off matter.

SIR J. GORST: I only interrupted the hon. Gentleman to point out that he had not read the sentence to the end, and I thought to put the case fairly it should be given to the end.

*MR. BRADLAUGH: I will read it to the end, and show that the right hon. Gentleman gains nothing by making me read it—

"Notwithstanding the ample resources of your State your Treasury was empty; corruption and disorder prevailed in every Department and every office; Your Highness was still surrounded by low and unworthy favourites, and the continued misgovernment of your State was becoming every day a more serious source of anxiety."

Well, there is not a word affecting finance there. I was going to deal with each allegation in turn. "Low and unworthy favourites!" Every Prince has these, even in his own household; every Oriental Prince has such. The whole history of our transactions with native feudatory Princes shows that when we have wanted to take their money, their land, their position, we have used vices which appeared at the time to suit our purposes and help us to gain our ends. I do not know what the right hon. Gentleman means by inviting me to read to the end, as if I had omitted some allusion to the empty Treasury. Why, the Indian Government had then 25 lacs of rupees of his, and millions of rupees had been laid out in railway works. Who are these low and unworthy people? It is not enough to make a vague statement;

where is the evidence? Let the man be tried. A man complains of a burglary in his jeweller's shop, and you say to him, "Oh, but you were misusing the jewels." I ask the House to take at least some tone of dignity in this matter. This irresponsible Government of India, as an Indian Secretary once said, has no public opinion to influence it, no Parliament to control it, no Press to criticise it. The Government of India is a despotism; that has, in many degrees, been well for India; it is a despotism which has brought in its train advantages which many of these poor people would not otherwise have obtained; but it cannot be denied that in many respects that despotism in the past has been tainted with fraud and crime, and I hope it is not left to the present Government to revive these evil traditions in obtaining possession of Kashmir. The Empress Queen, the paramount Power acting as Judge, has condemned this man unheard. No man should be under menace of this. The grandfather of this Prince bought these lands, and we, by Treaty, declared they belonged to him for ever. [Sir J. GORST expressed dissent.] The right hon. Gentleman does not seem to be acquainted with all these facts in the history of India. Shall I ask him to read and tell us the exact sum paid for the Maharajah's dominions? How do the Government justify their action? They say the Maharajah resigned; he says he did nothing of the kind. I am more inclined to believe him than even the Under Secretary, for whose statements I have always the profoundest respect. Officially there could be nothing better than the way he answers questions in this House; but when history, some 50 years hence, comes to deal with him, the comment of the historian will be, how wickedly the Government officials deceived the Under Secretary, making him say as truth the things that were not true. It is said the Maharajah voluntarily resigned. It is true that on March 8, 1889, the Maharajah issued the following document. I will abridge it; if it is suggested I am incorrect, I will read the whole willingly, but I do not think my abridgment will differ from the exact words. The Maharajah appointed a Council who were to govern the country for five years, he reserving to himself all his princely rights and reserving certain powers, but allowing them much the same authority, as allowing for Oriental position, a Cabinet enjoys here. The Government of India do not accept that yet; they say they accepted a voluntary resignation. What he offered they would not have; what they wanted they took from him. The Maharajah says he acted under pressure. I do not ask the House to decide that; but I do say that he is entitled to a Select Committee here, or I may say he would be content with an inquiry conducted in India if Lord Lansdowne will give his personal attention to it. The right hon. Gentleman is better acquainted with the Government of India than I am. He knows that Residents are not always perfect; that Residents sometimes quarrel with a Prince, and that matters are alleged as facts which do not always bear the test and scrutiny of examination. This man, through my mouth, appeals to this House, not that you should make a decree that the Government of India is wrong; he simply asks for an inquiry. He has a right to that inquiry. I regret that the appeal is not made by an abler tongue—by a better-informed man. But I am limited to the information in the Parliamentary Papers presented to the House and such records as the history of India enables me to present, and I say without fear of contradiction that no case is made out for the action that has been taken. In 1888 the Government of India and the Secretary of State in Council at home came to the conclusion there was nothing for which, directly or indirectly, the Maharajah ought to be deprived of power, and within seven months they take it all away. If you trample on Treaties; if your obligations to the Princes of India are to be broken, and the native rulers are not to rely on your word, and English justice in India is a shadow and a delusion, let that be known, but let those who hold a contrary opinion vote for my Motion as the means of protest. The government of India should be no Party question, either to Liberal or Conservative, Radical or Whig; our duty and our interest demand that our paramount rule in India should be just.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Bradlaugh.*)

*(5.43.) SIR J. GORST: I do not for a moment dispute the right of the hon. Member to challenge the action of the Government of India or to ask the House to order an inquiry if there is anything to inquire into. If the House will give me its attention for a short time, I will tell the House why the Government of India has acted in the manner it has, and why it appears to the Secretary of State this is not a subject which can properly be made matter of inquiry either by Judicial Commission in India or by Select Committee of the House of Commons. I need not take the House back to the early history of Kashmir; the hon. Member for Northampton has, in the little history he has given, indicated to the House that after the Sikh War we by force of arms placed a Hindoo ruler over the Mohamedan people of Kashmir; and, by doing this, we incurred, as it seems to me, the responsibility of seeing that these Mahomedan people who by the action of the British Government were subjected to an alien dynasty were at least fairly and properly governed. Now, complaints of the misgovernment of Kashmir are not so modern as the hon. Member for Northampton seems to suppose. I should like to read to the House the observations which were made by the Government of Lord Ripon in 1884, and Lord Ripon was a Viceroy whose error did not, at all events, lie in over-interference with Native Chiefs. This was what was said by his Government in 1884:—"The misgovernment to which the people of this country (Kashmir) have long been subjected."—The hon. Member for Northampton asks what the nature of the misgovernment was, and I will try before I sit down to give the House some faint idea of the nature and results of this misgovernment. Lord Ripon said—

"The people of that country have long been subjected to misgovernment, and this was some time since brought prominently into notice by Mr. Henvey. We did not take action at once, conceiving that a favourable opportunity would offer on the occasion of a fresh succession."

The Maharajah Runbir Singh was then suffering from a mortal illness, and his death was expected.

"When that event takes place, we shall consider that it will be our duty to impress on the Kashmir Government its obligations to its own subjects, and to see that reforms so urgently needed are no longer postponed."

To those remarks of Lord Ripon's Government an answer was returned by Lord Kimberley, Secretary of State under the right hon. Gentleman the Member for Mid Lothian, and Lord Kimberley stated in his Despatch his doubts whether the Government of India was justified in hesitating, so long as it had hesitated, to interfere in the affairs of Kashmir. It may, indeed, be questioned whether, having regard to the circumstances under which a Hindoo family were settled as rulers, the intervention of the British Government on behalf of the Mahomedan people had not already been too long delayed. Well, the Government of India waited 18 months, and in 1885 the late Maharajah died and the present Maharajah came to the Throne. The hon. Member for Northampton has already read some of the warnings which were addressed to the present Maharajah of Kashmir on the occasion of his ascending the Throne, but he said—and I really was surprised when he made the statement to the House—that until quite recently no complaint was made of his administration, and, in fact, he quoted a few expressions from some of Lord Dufferin's Despatches which would have left upon the House the impression that, upon the whole, the Government had been very successfully administered, and many reforms had been carried out. Now, what did Mr. Plowden say in March, 1888? He thought it his duty to call the formal attention of the Government of India to the fearful condition of Kashmir under the Maharajah and his associates, whom he calls a band of corrupt and mischievous men. Mr. Plowden says—

"I think, however, that the Government of India should be under no illusion as regards Maharajah Pertab Singh. From first to last I have failed to discover in him any sustained capacity for governing his country or any genuine desire to ameliorate its condition, or to introduce those reforms which he has acknowledged to be necessary. More than two years have passed since his accession, but not only has he achieved nothing, but he has opposed beneficial measures proposed by others . . . He will never, of his own free will, establish a capable and honest administration; nor if any power of interference is left him, will he permit any administration appointed by the Government of India to carry on the business of the country. He will thwart and oppose it in every way he dares; the only restraint will be the limit of his power and his fears."

Well, at the same time that Mr.

Plowden made this grave Report to the Government of India on the condition of the country and the character of the Maharajah, a proposal was made by the Maharajah himself to appoint a Council.

*MR. BRADLAUGH: The right hon. Gentleman will pardon me. I stated to the House that on the Report of Mr. Plowden the Government came to the decision not to take the power from the Maharajah, and that Lord Dufferin contradicted Mr. Plowden, by recognising the fact that since the appointment of the Council, of which Diwan Lachman Dass was a member, considerable progress had been made in the direction of reforms.

*SIR J. GORST: The hon. Member is impatient. I am coming to that. I shall have something more to say first. At the time that this Report was being sent home, application was made by the Maharajah to have a Council appointed, upon which the Government of India decided to give him another trial to see whether, by his Council, he would govern the country better. I must say, speaking by the light of after events, it was unfortunate that the Government of India set aside the Report of Mr. Plowden, and gave the Maharajah what, in vulgar phrase, would be called "another chance." I confess, if the hon. Member for Northampton, instead of attacking the Government of India for having at last relieved the Maharajah of the functions of government, had attacked the Government for being so weak in 1888 as to give this second chance, I am sure that I, as Under Secretary, would have found it difficult to make out a good defensive case. But Lord Dufferin decided on this course. He wrote a complimentary letter to the Maharajah, which the hon. Member has read, and no doubt he made use of the expressions the hon. Member has quoted as to the success of the Council, since the appointment of Diwan Lachman Dass, under whom considerable progress, he said, had been made in the direction of reform. But will the House believe that the object of that letter, on which the hon. Member relies as showing the improvement in the government of the country, was to remonstrate with the Maharajah for dismissing summarily, and without the knowledge of the Government of India, that same Diwan Lachman Dass, whose reforms were praised in the passage of Lord Dufferin's letter which the hon. Member has quoted as praising the Maharajah for the improvements in the government of the country. The beginning of Lord Dufferin's letter which the hon. Member has not quoted is as follows:—

"I cannot avoid informing your Highness that the news of the sudden removal of Diwan Lachman Dass was received by me with some surprise. Your Highness appointed him to your Council after consulting me, and I hoped that your Highness would, before making another change of Government, give me some previous intimation of your views. However, this point has already been brought to your notice by Mr. Plowden, and I do not now desire to dwell upon it further."

Well, the arrangements for governing the country by means of a Council were made, and, in order to give the new scheme the fullest possible chance of success, Mr. Plowden was removed from Kashmir on the occasion of his promotion, and Colonel Nisbet, a personal friend of the Maharajah, and in whom the Maharajah placed implicit confidence, was sent to Kashmir. Now, I said I would give the House some little idea of the misgovernment that the hon. Member for Northampton treated so lightly, and of which he said no trace was to be found in the Papers before the House. Now, if hon. Members have read the Papers, they will see that they close with the Report of a certain gentleman of the name of Wingate. Mr. Wingate was a Revenue Officer of the Bombay Government of 19 years' experience, and he had also been employed in the revenue settlement of some of the native States of Rajputana. He was a highly qualified and experienced officer. He was employed by the Maharajah's Government, and his Report well deserves the study of anybody who desires to understand the position of Kashmir, although it is full of technicalities and written in a dry business-like technical spirit, but his narrative is enlivened occasionally by the most horrible statements as to the condition of Kashmir. Let me say this gentleman was 18 months among the people surveying in Kashmir and Jummoo, and he appears to have gone to work in a dry business-like fashion. In these Oriental States we know that the foundation of the happiness of the people consists in the correct measure-

ment of their land. The first thing Mr. Wingate discovered was that the measurement of the land upon which the ryots paid their rent was altogether incorrect against the ryots.

*MR. BRADLAUGH: Does the right hon. Gentleman represent that in any way that this was done under the direction of the Maharajah?

*SIR JOHN GORST: The evil existed under the Government of the Maharajah, and was approved by the Maharajah's Government.

*MR. BRADLAUGH: Mr. Wingate's Report referred to the existing state of things, part of the condition of things that had long existed over Kashmir, was no part of the mis-government of the Maharajah.

*SIR JOHN GORST: It was part of the condition of things in Kashmir under a Government of which the Maharajah was the head. I do not know whether the Maharajah shields himself under the allegation that all this had happened in the past, and that he was not responsible for the misgovernment which he allowed to exist. I do not think this House will take such a view of the limitations of the Maharajah's duties to his subjects. Besides, we have read Mr. Plowden's Report, in which it is stated that the Maharajah opposed those reforms which were admitted to be necessary. Now, under the land system in Kashmir the assessment of the ryots is arbitrarily fixed, and a divisional official gets the revenue out of the unhappy cultivators in the best way he can, the result being that from one-half to two-thirds of the gross produce of the land was exacted from these unhappy people, mostly in kind and partly also in cash.

*MR. BRADLAUGH: Does not Mr. Wingate say that existed as far back as 1874?

*SIR J. GORST: I have been reading the Report.

*MR. BRADLAUGH: You have not been reading at all.

*SIR J. GORST: The hon. Member challenged me to say what the misgovernment had been in Kashmir.

*MR. BRADLAUGH: I challenged the right hon. Gentleman to prove specific acts of misgovernment on the part of the Maharajah.

*SIR J. GORST: I am in the recollection of the House. I appeal to hon. Members whether, if the case rested solely on the speech of the hon. Member for Northampton, they would not have gone away in the belief that Kashmir was the best governed country in the world. I am showing what was the state of the affairs which compelled the Government of India to take this action. I am going to show the House why the Government in the interests of humanity were peremptorily called upon to take this step. [*A laugh.*] The hon. Member may laugh, but I think it is not a laughing matter. Now, let me describe what was done. The assessment was paid at fixed rates in kind, that is to say, it was levied on the people in money value, and then they were made to give produce at certain fixed and prescribed rates in lieu of paying the assessment in cash. In the case of rice, the main staple which the ryots cultivated, the prescribed rate was extremely unfavourable to the cultivator—all this is in Mr. Wingate's Report, and if I am epitomising it unfairly the hon. Member can subsequently correct me. I do not see why he should interrupt me now—but the prescribed rates for cotton, which is grown by the richer ryots, were very favourable. Therefore it came to this, that the Officers of the Revenue allowed the rich ryots to pay on the staple bearing the most favourable rate, while the poor ryots had to pay on the staple bearing the most unfavourable rates. Every year, says Mr. Wingate in his Report, "the bulk of the rise goes into the city;" and further, he adds, "these poor ryots often have to buy it back at two or three times the price at which it was credited to them in their assessment." And then this dry technical Report contains this statement, "In this fertile valley there are women and children actually starving." Further on it says—

> "It may be easier now to understand why the Kashmir cares naught for rights in land, why his fields are fallow or full of weeds, and manure and water neglected, why he has, as I can well believe, even to be forced to cultivate. The revenue system is such that, whether he works much or little, he is left with barely enough to get along on till next harvest. He is a machine to produce Shâli for a very large and most idle city population."

MR. MAC NEILL (Donegal, S.). Like Ireland!

*Sir J. GORST: A city, the population of which consists of officials and of Hindoo pundits, who have prepared the brief from which the hon. Member for Northampton spoke. These men get their rice cheap, while the ryot who grows it, and is forbidden to dispose of it for export starves. Again, Mr. Wingate says that

"The cultivator is compelled to grow rice, and in many years to part with it below the proper market rate, in order that the city may be content. If the harvest is too little for both, the city must be supplied, and is supplied, by any force that may be necessary, and the cultivator and his children must go without. That is the explanation of the angry discontent that filled the valley during the famine. The cultivator is considered to have rights neither to his land nor to his crops. The city population have a right to be well fed whether there is famine or not."

and that is not all. The officials of the Revenue contractors are gradually in Kashmir converting themselves into landlords. They get grants of waste land, they foreclose upon ryots who are indebted, and they purchase a considerable part of the land, and as Mr. Wingate says—

"Since the death of the Maharajah Golab Singh, from which date central authority appears to have been weaker, there has been a steadily, and, latterly, rapidly increasing transference of land from the cultivating to the non-cultivating classes, and a landlord element is intruding itself between the cultivator and the State."

I earnestly commend this to the attention of some of the hon. Members from Ireland. Then besides this, there exists among the unhappy ryots a system of *begar*, or forced labor. This scourge, which is peculiar to the Government villages, and from which the villages which happen to be in the hands of these landlords are free, is imposed upon the people with the utmost severity.

*Mr. BRADLAUGH: I venture to make an appeal to the right hon. Gentleman. I fancy that by the Rules of the House I have no right of reply. I wish to ask him, in reference to this forced labour, whether it is not a fact that the system prevailed long before the death of the father of this unfortunate gentleman, and whether the Maharajah did not himself issue a decree abolishing it?

*Mr. SPEAKER: Order, order! I may explain that the hon. Member will be entitled to reply, and it would be more convenient therefore for him to reserve his comments.

*Sir J. GORST: I am glad that the hon. Gentleman will have an opportunity of replying, because otherwise he will not wait patiently to hear the end of my argument. He challenged me to show misgovernment in Kashmir. I am telling him what exists there, and presently I will ask him what was the Government of India to do under the circumstances. This forced labour was so unreasonably enforced on the people that if 20 coolies were wanted it was customary to requisition a hundred. Eighty would buy themselves off with payments to the officers, and 20 of the poorest would be compelled to do the duty. And it was so serious and so formidable that they left their homes and hid themselves for days in order to escape the work. I am speaking of matters which are within the knowledge of many hon. Members of this House who have served in India. But I am bound to repeat them when this House is asked to censure the conduct of the Government of India. Mr. Wingate says that the cultivators under this Hindoo rule have been pressed down to the condition of coolies cultivating the State property at subsistence allowance. This has been going on in Kashmir for years, and what has been the result? The population has been reduced by one-half, the ryots are deserting the country wherever they can do so, the villages are ruined, the bridges broken down, the irrigation channels are abandoned, and a population under the protection of a British Government which boasts of its Christianity and its civilisation, has sunk into a condition which I have tried faintly to describe. "They are gaunt with want and famine, they gnaw the ground in wasteness and desolation." This, Mr. Speaker, is a description of the condition of the unhappy people of Kashmir, which seems to have moved the laughter of the hon. Member opposite. I should have thought he would have treated the subject more seriously. Such was the condition of the people—a condition which weighed upon the Government of India and the Secretary of State, who had hoped almost against hope that the new arrangement of the Maharajah would afford some amelioration in the condition of the people.

But no. Colonel Nisbett, appointed Resident because he was the Maharajah's friend, arrived at precisely the same conclusion as Mr. Plowden, and his conversion to those views was announced to the Government of India at the time of the discovery of the treasonable criminal letters, to which the hon. Member for Northampton has alluded. These letters, in spite of what the hon. Member says, have never been treated by the Government of India as serious, nor have they been made the ground for the exclusion of the Maharajah from interference in the public affairs of Kashmir. They might never have been noticed had they not been accompanied by the resignation, of his own accord, of part of his power. The Government of India, at the outset, said they were not disposed to attach excessive importance to these letters. They also wrote that they did not exclusively base their action upon the Maharajah's edict of resignation, but the edict gave them an occasion—and they would have been criminal if they had neglected to avail themselves of it—for placing the affairs of Kashmir on a more satisfactory basis. The Despatch in which these conclusions were announced to the Secretary of State contains these words—

"We greatly regret the necessity for any interference at all, but we are now convinced that, in the interests of the people of Kashmir, and of the ruling family itself, it is no longer right or possible to leave the control of affairs in the hands of the Maharajah."

In the whole of this business the Government of India have carefully avoided acting upon any personal grounds and I must object to the hon. Member for Northampton, and those who instruct him, trying to make out that this is a sort of personal question between the Maharajah and the Government of India. They insist on making out that the Maharajah has been deposed from his throne because of these letters, or because of some personal vices, or because of his own resignation. Not one of these is the real ground upon which the Government of India has acted. As I have stated in this House, in answer to questions over and over again, the Government of India has acted in the interests of the people of Kashmir and of their right to better Government. I can only say that, in my humble opinion, these reforms could not longer be delayed, and, if anything, both the Government of Mr. Gladstone and the present Government ought to reproach themselves for the long delay. It is a curious example of the irony of fate that the Radical Member for Northampton should be pleading in this House the Divine right of an Oriental despot to deal with his people as he pleases, and that I, a humble but reactionary Tory, should be pleading the right of these poor Moslems of Jummoo to cultivate their own land. But we have of late been accustomed in this House to strange sights. I ask the House to look at the Papers and see how careful the Government of India has been of the right of this reigning family. Will the House believe that in the Government of this country, the Government which is the paramount power in Kashmir, not an Englishman sits on the Council, which is composed exclusively of the natives of the State, and includes two members of the reigning family. The Government of India does not, and never has, in its policy interfered with the personal rights of the chiefs of India. It has been most careful of all existing rights, of all rights that affect the chiefs. But there is one right which it regards as more sacred than even the rights of Oriental despots to their thrones, and that is the right of the people who live under the protection of the power of Great Britain to just and upright Government. I hope that the House of Commons will not stand in the way of justice being done to the people of Kashmir. I hope that the House of Commons to-night will, by a large majority, approve the conduct of the Government of India in at last interfering in this unhappy State, and in allowing the Maharajah of Kashmir and the chiefs of India generally to know that, although their rights are respected, it is on the condition that their people are moderately happy and moderately justly governed.

*(6.24.) MR. BRADLAUGH: I will, Sir, at once take advantage of the right of reply which you have ruled rests with me. The point I wish to state is so important that I think it better to put it before the House at once. I say that the Report of Mr. Wingate refers to no specific act of misgovernment by the

deposed Maharajah. It relates a state of things which obtained long prior to the Maharajah's birth, and which he has himself partially remedied since his accession to power. In September, 1885, he actually issued a decree abolishing forced labour both in Kashmir and in Jummoo, so far as he could, and in another decree he removed the cause of complaint as to the price of edibles. For three years this unfortunate man, step by step, took up reforms; and in one of his Despatches he speaks of the settlement of the land question as a task which it would take five years to deal with. I never said that the Government of Kashmir was perfect; on the contrary, I said that, like all Oriental Governments, it had many defects, and that the people of Kashmir were in a state of misery and difficulty, from which millions of the population of India were not free. I repeat that no specific act of misgovernment has been even pretended to be proved against the Maharajah, and that, so far as Mr. Plowden's Report is concerned, the decision of the Government of India itself was that it did not justify any interference on their part.

(6.26.) MR. MAC NEILL: The Under Secretary for India is always interesting, and his great abilities add additional charms to what he says. But on this occasion I think he was scarcely fair in accusing me of smiling at the sufferings of these people. I see too much suffering to regard it otherwise than with infinite sorrow and sympathy. What I smiled at was this. Knowing, as I do, the infamous transactions and secret springs which I intend to expose, I smiled that a gentleman representing a Government guilty of such conduct should claim universal benevolence and pretend to be benefiting the people, whereas they are robbing an ancient Prince of his inheritance. The right hon. Gentleman was careful to put forward the religious question, and to point out that the Maharajah was a Hindoo, while his subjects were Mahommedans. But I can tell him that if he would take a *plébiscite* of the inhabitants of Kashmir he would find that three-fourths of the people favour the restoration of the Prince. We know that 40,000,000 of our subjects in India are in a constant state of starvation, and that during the famine in 1877 the number of deaths from famine exceeded the population of London. Surely our efforts at administration in India have not been so successful as to justify our bringing more of the natives under our system. I heard the speech of the right hon. Gentleman; I must say I thought it a most shifting defence. I can only repeat the statement of an eminent statesman who once said that the iniquities of the Government of India are so rank that they smell from earth to heaven. We are in precisely the same situation to-day. I may say that I speak on behalf of all my Colleagues. We are all in sympathy with the suffering and the injured classes.

*MR. SPEAKER: Order, order! The hon. Gentleman is speaking of matters that do not arise on the Question before the House, on account of which the adjournment of the House was moved.

MR. MAC NEILL: I bow to your ruling, Sir; but I think I have a right to put it to the House whether the charges made by my hon. Friend cannot be substantiated by investigation. I think I shall be enabled to prove that the Maharajah has been deprived of his inheritance simply by the pursuance of an annexation policy, which was the approximate cause of the Indian Mutiny. What has happened has been what is called in Ireland "land-grabbing." The Maharajah, who was placed in his position many years ago, has displayed nothing but kindness and loyalty to British rule. He was placed on that throne, and it was reserved to him and his heirs, and in the meantime he has acted well towards this country. With regard to the letters on which so much stress has been laid none of them have been read to the House. Their date is important, because they came into the possession of the Government of India just about the time when Pigott's forgeries appeared in the *Times*. The Government of India has resorted to the old dodge of forged letters in order to destroy character of this Prince. The Government had no right to depose a Prince without rhyme or reason, and it is the duty of this House to do all in its power to prevent them from doing so.

(6.45.) MR. HUNTER: Mr. Speaker, the defence which has been offered on the part of the Government does not explain the degradation from his rank of the

Maharajah of Kashmir, and the act of wholly unjustifiable spoliation. One remark with which the Under Secretary of State wound up his remarks, intended to be eloquent, was an appeal to this House on behalf of the poor Moslem cultivators. Why the Moslem cultivators? Surely, a Hindoo, if he happens to be a cultivator, is as much entitled to sympathy as the Moslem. But the right hon. Gentleman laid stress on the word Moslem in order to excite those unhappy religious prejudices which, unfortunately, prevail in India. He knew that in India, unfortunately, both Moslems and Hindoos are animated by strong fanatical opinions on the subject of religion, leading to collisions and breaches of the peace. And here is the Under Secretary for India, in this House, pointing his moral by the contrast between the Moslem and the Hindoo peasants, and trying thus to fan the embers of religious antipathy. What are the reasons which he adduced why the Maharajah should be deposed? Not one of the reasons had the slightest relation to anything that was done by the Maharajah of Kashmir himself. That I pass by. But what is the state of the country upon which he relies? There were three arguments. The first argument was that in consequence of the mismanagement of the revenue derived from the land there was a great deal of poverty in the country, and that the population had largely diminished. Well, I was amazed to hear a Minister sitting on that side of the House raising that as an argument why the Maharajah of Kashmir should be deposed, because the Maharajah has equally good reason for deposing you from the Government of Ireland, if that argument has any validity whatever. But that is not the only thing. We are told that the land revenue is extortionate. That is, no doubt, the reason why you are putting out the Maharajah and putting in yourselves. There is no doubt a margin, a large margin, which excites the cupidity of the British Government, and induces them to take possession of that country. But all this argument simply comes to this point, that, according to the view of the Government of India, the ancient, not the recent, mode of collecting the Revenue from the land is defective, and that oppresions arise in the exercise of the right; so that, according to the eloquent language of the right hon. Gentleman, the people are starving in the midst of plenty. That is precisely the condition of things in Ireland. The case of Ireland is precisely an analogous case. Not a single argument adduced by the right hon. Gentleman in reference to Kashmir but is applicable to Ireland, in the eyes of impartial people living outside the latter country. I am afraid the transaction is a very doubtful one, when it has to be supported by such exceedingly ludicrous statements as those which have been advanced by the Under Secretary of State.

*(6.50.) SIR R. TEMPLE: Mr. Speaker, I feel bound to trouble the House for a very few moments on this subject, because I am one of those Members who happen to know this country of Kashmir. I have travelled over every portion of it repeatedly, and for years I was officially connected with it; and though I never had the pleasure of knowing the Maharajah of Kashmir personally, unless I may have seen him as a child, yet I knew his father well, and his grandfather also. Now, Sir, much has been said by the hon. Member for Northampton and by the hon. Member for South Donegal, and again by the hon. Member for Aberdeen, who has just sat down, regarding the ambitious or greedy eye which England has cast upon Kashmir. Indeed, in effect, the language used by hon. Members embodies the charge that England is attempting a theft of territory. Indeed, the hon. Member for Northampton exhausted the resources of phraseology in accusing England of appropriating the lands of others. But is the House aware that England gains not one rood by the transactions which are now under consideration? All that happens is the transfer of the sovereignty from one brother to another. The power, the wealth, the property, remains in the same family; it is a mere exchange from one person to another as Regent. England remains exactly in the same position as she was before, and is in no wise benefited. She has acted with entire disinterestedness, and whether she is wrong or whether she is right, her sole object has been to benefit the people of Kashmir. What ground has the hon. Member for South Donegal for saying that we want

a frontier there? I am afraid the hon. Member does not know what our frontiers are. We have no military frontier in that direction. It is not from there we should be invaded. No, Sir, the mighty mountains of the Himalayas constitute an impassable barrier to any enemy, either from Asia or from Europe. Then, Sir, the hon. Member for Aberdeen seemed to find fault with my right hon. Friend the Under Secretary, for saying that the Moslem of Kashmir must be protected. The hon. Member entirely misapprehended my right hon. Friend's meaning. What my right hon. Friend meant was this, that the Maharajah of Kashmir is a Hindoo potentate, and that we interfered by force of arms to place him over a Moslem population—a population which was not Hindoo at all by allegiance or by tradition. They were, therefore, placed under an alien prince by the action of the British Government. My right hon. Friend meant to say that we were bound to see that the Moslem population suffered nothing at the hands of the Hindoo masters whom we had set over them. And the hon. Member for Aberdeen spoke of the gratitude which we owe the Maharajah of Kashmir. I am not prepared to deny that Sovereigns of his house have behaved well—his grandfather co-operated with us during the darkest days of the Mutiny. But, after all, the gratitude was due from him to us rather than from us to him. He was our ally. We had placed him on the throne for political reasons of our own, and he was bound to act for us when we required his services. Something has been said of the several British Residents. I was grieved to hear the terms of disparagement in which the hon. Member for Northampton spoke of those most able servants of the State. At all events, they have no Party purpose to serve; they are above partisan considerations. They may, like all men, be liable to error, but they are completely disinterested, and their action is based on inflexible impartiality. In this case it was not one or two, but three Residents—men of different ideas, but who all came to the same conclusion respecting the Government of Kashmir. Then, Sir, regarding the misgovernment. I quite admit that reforms were at one time introduced and carried out to a considerable extent. I, myself, in former days, have been witness to them. But I am afraid those reforms came to a termination, or at least declined. But, Sir, much was said, and with great truth, by my right hon. Friend, with regard to mismanagement of the Land Revenue, and the gross oppression which was practised upon the ryots. I quite admit that the abuses are not recent, and the Report which has been read to-night confirms what I used to hear when I was connected with the Foreign Department in India. But I am afraid that the evils have now reached alarming proportions, perhaps even a monstrous development. The hon. Member for Aberdeen speaks of the decreasing population. Now of all countries, Kashmir is the most favoured physically. The climate may be severe in winter, but in summer the land smiles with fertility, and is as bountiful as any place in the world. Indeed, nature has lavished advantages on what once was the Happy Valley. That its population is decreasing, is a sure sign of misgovernment. I quite admit that there may have been outbreaks of cholera and other epidemics; but as for famine, it is the last place in the world where such a calamity would be expected. The question comes, what is the nature of the misgovernment? Well, now, I submit that that is a question which should be left to the responsible Government on the spot. Surely it is our duty to see that a good Government is set up in that Empire, and when it has been set up do not harass it, or interfere with it, or try to establish Committees of Inquiry here to investigate matters, which can hardly be made the subject of specific inquiry by evidence, by prosecution, by defence, and so forth, but which must be left to the discretion of the responsible Government on the spot. If we are to have a Government at all in India we must entrust such affairs as these to that Government. There is, we are told, a bad system in this State of Kashmir; that the population is decreasing; property is not secure; that communications are not looked after; that the whole land is going rapidly to ruin, and that all Departments are falling to a low level. But how are we to examine into these matters by an inquiry such as is asked for? Such questions are hardly susceptible of *quasi*-judicial inquiry. We all

know how that would end. It would end in the acquittal of the accused, while everyone knew that mal-administration existed. All these matters should be left to the Governor General in Council, and he is responsible for dealing with matters which are within his purview and not within ours, and to him we leave the responsibility. An inquiry of this kind would have a bad effect in India. The hon. Member for Northampton speaks as if this political measure of superseding the Maharajah of Kashmir would have a bad effect; but I can assure him that to have an inquiry of the kind which has been suggested, in which the whole Government of Kashmir would be overhauled by a formal investigation, would be a measure above all others calculated to alarm the Native Princes of India, and would be repugnant to those very purposes whom he proposes to serve.

*(7.2.) SIR U. KAY-SHUTTLEWORTH (Lancashire, Clitheroe): In this Debate we have been placed under the disadvantage that the Papers relating to Kashmir are not yet in the hands of Members. But by the courtesy of the right hon. Gentleman (Sir John Gorst), I have had the advantage of perusing these Papers for a short time, and it is only fair that I should rise to say, that so far as I can judge from a hasty perusal of the Papers, and following carefully the speech of the right hon. Gentleman, he has stated the case as regards the action of successive Viceroys and successive Secretaries of State in their relation to the late Maharajah of Kashmir and the present Maharajah with perfect fairness. I may venture to say one or two words more as to whether the facts which have been laid before us show a necessity for such an inquiry as is asked for. I believe if hon. Members will examine these Papers, they will find that there is nothing in them to call for a review by a Parliamentary Committee of the patient and deliberate action of the Government of India, who seem to have hesitated long before taking any strong step, although the misgovernment of the Maharajah has been, I fear, of a very glaring description. I would only venture to make this one remark. It should be a satisfaction to hon. Members on this side of the House to find, with respect to the Government of India, that it has not been drawn into the annexation policy which my hon. Friend deprecates, but that it leaves the Government of Kashmir under a Council of natives guided by the Resident; and in concluding a Despatch addressed by the Viceroy of India to the Maharajah of Kashmir, the Viceroy treats him with the greatest consideration and courtesy, and expresses a hope that it may be possible to give greater power to him in the future. At present the Maharajah is put in an ornamental position. He is not deposed, but simply relieved of the powers of ruler of the country; and these powers are confided to a Council. I hope, therefore, the House will pause before voting for this Motion.

*(7.6.) SIR W. PLOWDEN (Wolverhampton, W.): I will not detain the House for more than a few minutes, but I am not at all satisfied with the statement of the Under Secretary of State for India. The course of the Debate has rather taken us from the point we ought to have before us, and I am very much surprised to hear the remarks which have fallen from the right hon. Member who has just spoken, in face of the glaring case which has been made by the Member for Northampton. The Member for Northampton is condemning the action of the Government of India, and is asking the House to express its sense of the course taken by the Government of India with respect to the Maharajah of Kashmir, and his complaint is that they have not given this man a chance of clearing himself from the charges which have been brought against him. It is not to a Parliamentary Inquiry that this man's chance of clearing himself is to be entrusted. Why should we not have a Judicial Inquiry, and why is it that the Government are refusing to give this man a real investigation into the charges made against him? From what we have had brought before us, there is real reason to believe that not only has considerable misgovernment been going on in Kashmir in preceding reigns as now, but that there has been no reproof administered as to this misgovernment. The right

hon. Gentleman asks us are we going to stand in the way of justice being done in Kashmir, but is he going to stand in the way of justice being done to the Maharajah? If he asserts that he (the Maharajah) is innocent of the charges brought against him——

SIR JOHN GORST: There are no charges.

*SIR W. PLOWDEN: Then if there are no charges why is he deposed? Evidently there must be some misconduct attributed to this man; in fact, we know there is, because the whole defence put up by the Government is that he has been misconducting the Government, and because he has been doing so he has been deposed. He says, "I have not misconducted the Government; I am not guilty, and I ask to have my case inquired into." If the hon. Member for Northampton presses his Motion to a Division, I shall be bound to support him, unless we get a clear assertion from the right hon. Gentleman that he will send out instructions to the Government of India to form some Judicial Commission which shall inquire into the charges alleged.

(7.10.) The House divided:—Ayes 88; Noes 226.—(Div. List, No. 174.)

SCHOOL BOARD ELECTIONS (SCOTLAND) (VOTERS' QUALIFICATION BILL).

On Motion of the Lord Advocate, Bill to amend the Law in regard to the Qualification of Persons entitled to vote at Elections of School Boards in Scotland, ordered to be brought in by the Lord Advocate and Mr. Solicitor General for Scotland.

MESSAGE FROM THE LORDS.

That they have agreed to—Contagious Diseases (Animals) (Pleuro-pneumonia) Bill, Anglesey Assizes and Quarter Sessions Bill.

ALDERSHOT ROADS (COMPENSATION).

Resolution [July 2nd] reported.

"That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of any Compensation in respect of rights of way, that may be awarded under any Act of present Session relating to lands near Aldershot that may be used for Rifle Ranges or other Military purposes."

Resolution agreed to.

Sir W. Plowden

ORDERS OF THE DAY.

SUPPLY—ARMY ESTIMATES.

Considered in Committee.

(In the Committee.)

£3,467,600, Provisions, Forage, Clothing Establishments, and Services.

*(7.24.) DR. FARQUHARSON (Aberdeen, W.): I should like to say a word or two on this Vote, as it is one in which I have taken the greatest interest ever since I have been in the House. I should like to express a hope that the Report of the Committee which inquired into the question of soldiers' rations will not be put unceremoniously into the waste paper basket, as other Reports of this kind have been. I do not think the Government intend to deal in that way with the Report, because I see that this year there is an increase of £15,000 in the item, which would seem to show that the Government have determined to have regard to the recommendations of the Committee. The plan proposed for remedying the grievance of the men seems to me a fair and sensible one, and brings many practical points under the notice of the Secretary of State, which I hope he will be able to tell the House he has decided to adopt. The only fault I have to find with the Department is that they have not published the full details, for I think it would have been interesting if we could have heard the statements and opinions given in a large number of influential Reports not only from soldiers, but other people of experience, who have a right to give an opinion on the questions now under consideration. I know, however, there have been Departmental reasons for keeping back these Reports; therefore, I will not say anything more on that point. Complaints have been made of the inferior quality of the meat, and it is frankly admitted that there have been good grounds for complaints, especially at the smaller stations. The inferior quality of the meat, I think, has been due to the pernicious practice of always accepting the lowest tender, although the price tendered might be so low as to leave no profit if fairly carried out. I hope that in future when a contractor is found to be supplying meat of a bad quality he will not be allowed to tender again, at any

rate until the lapse of a certain number of years. The recommendation of the Committee that there should be cooking classes established in the Army is, I think, a very important one, as it will teach the men how to make the most of the nutritive qualities of the meat. Instruction should also be given in judging meat. Then, as to bread, I think there should be some general regulations laid down as to the best description of yeast to be employed, and the most appropriate form of loaf to bake. In conclusion, I would say I think the most important thing of all that has come out of the investigation is the recommendation that in each regiment there should be an officer directly responsible for the quality of the provisions and the bread. I am sorry, however, the Committee were not able to suggest any practical remedy as to the great drawback which results from the long gap of semi-starvation which exists between dinner time and half-past 12 or 1 o'clock. I am glad, however, to see that one practical man has done much himself to meet the difficulty. Evidence was given before the Committee by Colonel Burnett, of the First Royal Irish Regiment, who has nearly solved the question from his own point of view without making any addition to the actual money charge for rations. He has been able to provide his men with a good breakfast and something nourishing for supper, so as to bring them back at a reasonable hour at night and give them a good meal in the morning. I think it very unfortunate that something has not been done for the recruits. The present ration is clearly sufficient for the soldier if it is well distributed, properly cooked, and of good quality; but I think it is not sufficient for the recruit. He is a growing lad; if he has ceased to grow in height he is growing in breadth and thickness, and as he is constantly called on to do a great variety of very difficult work, great strain is thrown not only on his body, but on his mind. I know that the recruits of Caterham are compelled to spend every farthing they can scrape up in order to keep body and soul together, and their present ration is deficient in farinaceous and fatty ingredients, such as cheese, butter, and milk. I must, however, congratulate the Secretary for War on having taken up the general question, and on having as I hope, gone a considerable way towards settling it.

*(7.34.) THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I am glad to say that while we have carried out some of the recommendations of the Committee, which I may state includes the Quartermaster General amongst its members, we are in course of carrying out others, and I hope before long almost the whole of the Report will have come into operation. I wish especially to allude to the question of the inspection of meat. Last year the House allowed us to incur some small expenditure on the inspection of meat and the result has been of the utmost service to the Army, and I think the quality of the meat supplied has undoubtedly been improved. The hon. Member has alluded to the importance of giving such instruction as will enable officers to judge between good meat and bad. Officers often do not possess sufficient knowledge to do so. We are endeavouring to remedy this defect, and the Quartermaster General is about to issue a little book which will have the effect of teaching officers a good deal of what they ought to know on the subject. The hon. Member thinks the ration, although sufficient on ordinary occasions, is not sufficient for the recruit. I may point out that the Committee has not expressed any such opinion in its Report, and I must say that the evidence which reaches me is to the effect that the improvement which takes place in the condition of the recruit after he joins the Army proves the ration to be ample. Indeed, I believe it to be the case that in many instances the food the recruits receive after they enter the Army is very much superior to that they receive before they join. I do not know that there is any other point to which the hon. Gentleman wishes me to refer. I can assure him that this subject, having been once taken up, will not be lost sight of, and that we shall do our best to give effect to the recommendations of the Report.

(7.38.) MR. HANBURY (Preston): I have given notice to move the reduction of the Clothing Vote, and the first thing I have to say is that this year, for the first time, clothing and rations are

mixed up in the same Vote. This seems to me entirely indefensible, for the two things are entirely distinct, and are administered by different Departments. The course adopted must lead to a good deal of confusion, and I am afraid will result in a loss of Parliamentary control over the Vote. I hope that in any criticisms I may have to offer on the subject of Army clothing, my right hon. Friend the Secretary for War (Mr. E. Stanhope), who has sometimes shown great anxiety to turn and rend me, will not suppose that on this occasion I desire to attach any responsibility to him. I know he represents a very centralised office; I know that the traditions of that office, with regard to clothing and all the rest of it, have been handed on from one Secretary of State to the other, and, therefore, I know it is impossible for any Secretary of State at once to bring about those changes in the War Office, which, to my mind, are in that as in other Departments so urgently needed. It would be useless for me to try and attach responsibility to anybody, for it is the main point of the present system that it is utterly impossible to find out who is responsible for anything. I do not know even whether, as far as the clothing is concerned, I ought to attack the right hon. Gentleman himself or the Financial Secretary. I have found from experience that it is impossible to make any one person responsible, and, therefore, I shall content myself with attacking the system. The first thing that strikes one with regard to this subject is that the clothing which our officers and men wear in time of peace would be of no use in time of war. When our troops went out to Egypt, did they wear the uniform in which they parade about London? Do not we know that Lord Wolseley has described the dress of our soldier as the dress of a monkey on a barrel organ? Do not we know that when we see private soldiers going about London their dress is so tight that "to bend their backs is to rend their rags." We have done away with the pigtail and the stock, and I hope the time will come when our soldiers will be clothed a little more rationally than they are at present. We know very well—we were told it in the Committee on Army Estimates—what is the reason for the peculiar dress our men wear: it is not to repel an enemy, but it is to attract the nursery maids. It is used for recruiting purposes. I am afraid the dress our soldiers wear is, to a great extent, of the same character as much of the drill they go through—the goose steps, the barrack square parade, and the march past—which seems to satisfiy the genius of our military chiefs. I certainly think we should get a much better class of recruits if we saved money on dress and added it to the pay of the soldier. This question of dress has exercised the minds of many of our leading military men. What does it cost to clothe the German soldier, who does some fighting? The clothing of the English cavalry soldier costs £4 17s. 11d.; the clothing of the German cavalry soldier costs £2 15s. The clothing of the English infantry soldier costs £3 3s. 8d.; that of the German £2 10s. 8d. Will anyone tell me that the German uniform, is not fit for war? The German uniform which costs a great deal less, lasts much longer than ours. A greatcoat lasts the English soldier only five years; it lasts the German soldier eight. A helmet lasts the English soldier four years; it lasts the German soldier 10. A pair of trousers lasts the English soldier only three months; it lasts the German soldier 15. As an instance of what we spend on articles of mere show, let me point out that the bearskins of our Foot Guards cost no less than £7 5s. a-piece. If there is one thing which ought to be carefully looked to, it is that our soldiers should be well shod. Will it be believed the boots of our soldiers are machine made. The country cannot be too careful to see that our soldiers are thoroughly well shod. But even the showy dress is, to a large extent, made up of bad material. The proof of it is that it lasts such a short time, and an unimpeachable witness is Lord Wolseley, who stated in evidence—

> "I have seen the French Army, and the soldiers of the German and Italian Armies, and, looking at the clothing, I should say their clothing is made of a decidedly superior quality to what ours is. The quality of ours is not as good as it ought to be very often. I attribute it to exactly the same cause that I do the fact that we have occasionally given to us very bad stores, and implements and boots—that is the small price we pay for it."

That is hardly flattering to the Director of Contracts, who carries on negotiations

for all his contracts in secrecy. But Lord Wolseley is not quite correct, because the clothes are not cheap. Where have we to look for the cause of the dearness on the one hand and the badness of the material on the other? Why, to the muddle-headed organisation which runs throughout the length and breadth of our War Office. [*a laugh.*] My right hon. Friend (Mr. Stanhope) laughs, but what has he to say for the organisation of the Clothing Department? Is it organised for war? Would the present organisation be of any use whatever for war? Distinctly not. The Director of Stores has almost every conceivable class of stores under his control, except the clothing stores. They are kept entirely distinct. What would be the case in the time of war? Would not clothing be treated along with all other stores? And if that would be the case in time of war, why have we not got our organisation ready in time of peace? I do not know why the Clothing Department should be specially centralised. The result is enormous circumlocution. A large number of civilian clerks have to be employed to carry on the correspondence between the War Office and the regiments, on every paltry detail. Let me give an instance recorded in the Parliamentary Paper, which shows what is the result of this distinction and separation. On the 15th of December, 1887, an undress jacket was sent to Woolwich. It was examined by the Board of Clothing, which consisted of a Major and two Lieutenants, and they found that the jacket required repairs, the cost of which was estimated at 2d. The Report of the Board and the jacket was then passed on from office to office, and in the long run the Report showed no less than eight separate signatures, three initials, and eight different stamps. This is why we have so many civilian clerks in the War Office; that is the way in which the time of these gentlemen is spent. We cannot entrust any responsibility whatever to the officers of the different regiments; we cannot trust them to repair a jacket at the cost of 2d., and that is why our officers in the different regiments almost tremble at their own shadow. And what is this precious Central Department to which everything is sacrificed in this way? It is situate at Pimlico—of all places in the Metropolis about the worst for such an establishment—an extravagant place as regards site—I should like to know how much is paid per foot for it—and an awkward place for workpeople, looking at the high rents for lodgings in the neighbourhood. I am sorry to say the wages paid are by no means in proportion to the high price the people have to pay for lodgings. I find the girls at this factory only make 8s. or 9s. per week. Who is at the head of this factory? Not a soldier, who might know something about Army clothing, nor an expert, but a War Office clerk, appointed a good many years ago by a relation of Lord Panmure, then Secretary of State for War. There are too many relations of officials filling posts of this sort. The head of the factory is a mere War Office clerk, who knows nothing of the subject, and he is assisted by another War Office clerk, with no practical experience, either from the soldier's point of view or the expert's point of view. And if they had knowledge they would not have any time to supervise this Department, for I am told these men are hardly ever allowed to leave their offices, so many documents have they to sign, documents of the kind I have described. Who are the experts? Of experts, who cannot practically be supervised by those above them, there are only two—far too few for the work. It is proved that they are only able to test 10 per cent. of the clothing passed into the factory. These viewers, or Inspectors, are not only too few, but they are too badly paid. The mere War Office clerk gets £1,500 a year, and the experts, on whom the whole responsibility rests, get £400 a year. There is no check upon these men, and I find that, by a most peculiar arrangement, the men who have the testing of the clothing brought in also have a large voice in saying who shall be the contractor to supply it. Who are these two men? We had a question asked in the House this very afternoon about one of them. He was a most meritorious public servant, who was for 15 years a chief Inspector of clothing; but for two years before that unfortunate man left Pimlico he was practically blind. That is the man to whom we intrusted all the responsibility with regard to our soldiers' cloth-

ing. Of the man below him I do not want to say anything; he has redeemed his character, but it will not be denied that he was retained in Pimlico factory on condition that he was never to be promoted. An advertisement was issued for the post of Inspector of clothing, and it stated that no man above a certain age should apply. There were 50 applications for the position, every one of which was rejected, and the appointment was given to a man above the advertised age, without any competition whatever. There was no competition, but if it had been known that men of that age would be allowed to compete there would have been many applications. Now I come to the way in which contracts are given in this Department. Here I have not official evidence, but I wish to place some statements fully before the right hon. Gentleman, in order that he may inquire into them and find whether they are accurate or not. In the supply of clothing for the factory there is one pet contractor who, whether he tenders the highest or the lowest prices, always gets the bulk of the orders. For the scarlet cloth infantry tunics, this man, who quoted the highest price, got nearly the whole order in 1880, and again in 1882 and in 1883, though smaller orders were given to those who made the lower tenders to keep them quiet. In 1884, 1885, 1886, and 1887 the same thing happened again. The same principle was observed with regard to scarlet jerseys, blue tweed, and the grey cloth for great-coats. Upon this, I say, I have not official evidence, but I will place before my right hon. Friends the facts I have, that he may inquire into them thoroughly. Then I find a very important official giving evidence on these matters—the Auditor and Controller General. If there is one official whose inquiries ought to be encouraged by the House it is the Auditor and Controller General, for he is the only check on this secret system. As to contracts we know nothing of these, the people who tender know nothing of the results, all is done in darkness and secrecy, and known only to the Auditor and Controller General; and how does the War Office treat him? The Auditor and Controller General complained bitterly to the Public Accounts Committee about this, but the War Office answered that it was purely a question of administration, that it was not a matter of accounts, and was no duty of his. That is not the line that official takes as to his duty, and if there is any doubt about it I think the War Office would do better to encourage the Auditor General to protect them than to try and stop his mouth. Passing from that I should like to know how this wonderful Department is manned. I should have thought that if there is one Department where employment could be found for old soldiers, it would be here; but no; it is a perfect rabbit-warren for Civil officials, and the few soldiers who in times past were employed there are diminishing day by day. The reason given shows how fearfully and wonderfully made must be the minds of some of the officials of the Department. Mr. Ramsden, the head of the clothing establishment, had, until four or five years ago, excellent discharged soldiers who did duty as clerks, and he complains that he has now to give £250 a year for clerks to do mechanical work that was done better by soldiers who had had experience in these things. After a time the War Office took it into its head that instead of letting the head of the Department make his selection among old soldiers there should be a roster, and men should take up the work in turn, but Mr. Ramsden soon found that he did not get the men he wanted, and he dropped the system. He was asked did he not make complaint to the Adjutant General, but that did not occur to him; he did not do that, it was not worth his while; he said not a word on the subject. Then, again, we had some light thrown upon the way in which the accounts of the Department are kept. We had practical men to examine them and report, and these practical men, Messrs. Winny and Waterhouse, reported that the books, as far as they related to the cash expenditure, were virtually not books at all, and that no private establishment could possibly be conducted with such accounts. And yet the Clothing Department is not content with doing its own work, but works for many other Departments of the State, for the General Post Office and Telegraph Service, the London and Dublin Police, the Irish Constabulary, the Customs House, the Board of

Trade, the Convict Service, the Prisons Board, Colonial Governments, India, the Office of Works, the Courts of Justice, Trinity House, and other Departments. Of these the Post Office and Police pay for the work done, but the Treasury has laid down the rule that payment should not be demanded from other Departments. But why should these Departments have the work done for nothing, and the amount go to swell the War Office Vote? Surely we ought to know what the Defensive Services cost us. But this Department, which is so anxious to go beyond its scope and do work for other Departments, does not do its own work. It was set up to stop sweating in the manufacture of clothing for the Army. The Department, we have been told, could employ 1,600 hands, but actually employs only 1,200. But surely, I should think, having all the expenses of staff and plant, the Department should be worked to its full extent, and extend its employment over as large an area as it can. Here I come to by far the most grave charge against the Department. It was originally intended to stop sweating, and to manufacture the clothing of the Army, but it has been the direct cause and encouragement of sweating. This is not my statement alone; it is the statement of the Director of Army Contracts himself, given before the Sweating Committee. He says evidence has tended to show that Army Contracts have been used for years as a vehicle for sweating, and that the sweating business has been carried on under War Office provisions. This is not merely in reference to accoutrements, as has been stated from the Treasury Bench, but in the more important clothing for the Army, and other Departments of the State. Sweating under the Rules of Pimlico, the Director of Contracts says, has extended to every Department of State that has anything to do with clothing. Then he goes on to compare the prices paid for work inside and outside the factory. A large number of women are employed, and I do not object to that, but the girls only get 8s. or 9s. a week. Lord Dunraven refers to an instance in which a man, having taken a contract for supplying greatcoats at an exceedingly low rate, was asked by the Director of Contracts how he could do the work at the price, and he replied that he knew his wages were not high, but at all events they were double what were received at the factory and for shirt-making. There is a direct contradiction between the evidence of Mr. Nepean, the Director of Contracts, and Mr. Ramsay, the head of the Clothing Department. Mr. Nepean said that the wages were higher outside the Department than inside, while Mr. Ramsay stated the direct contrary. I will leave them to settle their differences, but I should have thought it was a thing they could have made their minds clear about. What prices are paid outside? Take the case of Post Office overcoats. We find the price formerly paid was 2s. 9d. a piece. In 1887 it was reduced to 2s., and then further reduced to 1s. 8d., or a third less than two years previously, and the same witness who gave this evidence went on to say that some of these coats had been made in the same room where a child was lying ill, and there is universal testimony that these contracts are sub-let. When the evidence came out before the Sweating Committee what happened? Mr. Ramsay and Mr. Nepean proposed that a factory clause should be inserted in all contracts, binding the contractor not to sub-let. Mr. Nepean also promised that he would fix a scale of prices; but it appears he only promised it with regard to accoutrements, and no promise was made with regard to clothing. He also said he would negotiate between the masters and the men, in order to get fair wages for the latter. It is a scandal to the Government that sweating should be encouraged in one of its own Departments. The men have never been approached; Mr. Nepean has not seen them, and nothing has been done in the way of getting the wages raised. Again, how far has the factory clause been made use of? Mr. Ramsay said the Department had never taken any step to ascertain whether contractors had complied with the factory clause or not. The Director of Contracts also stated that at present no one is responsible for the discharge of that duty. There is a penalty imposed in the contracts, and yet the factory clause is not carried out. There is no inspection at the present

time. The only attempt that has been made has been on the part of the Director of Contracts, who has endeavoured to see that in the East End of London the factory clause is complied with, but we do not pay him for such work; the man who gives out the contracts is the last man to do it; it should be left to an authorised Inspector. Indeed, I doubt whether there is more than one solitary instance in which the penalty has been inflicted, and yet there is evidence that this rule as to the factory clause is broken day after day. It is in time of war that the stress will come. What are the precautions taken against that emergency? We have practically no reserve of clothing in Pimlico at all. The German and the French Armies have large reserves of clothing for time of war, whereas we have clothing for 50,000 men, and nothing more, except, I believe, an additional quantity of warm-climate clothing for 30,000 men. What would happen if a war suddenly broke out? Mr. Ramsay said—

> "I am afraid that, during a pressure of that kind, we should not be inclined to be very particular as to the enforcement of the factory clause. We should be glad to get the clothing wherever it is made."

What is the report of the Sweating Committee on the whole system, and the way in which contracts are given out? I wonder if any public official ever smarted under such a Report, and received no censure but rather praise. Not in Lord Dunraven's Report, but in the mild and watered-down Report of Lord Thring, an opinion is expressed that there are grave irregularities in the system of giving out contracts, that greater diligence should be exercised, that the staff of viewers is too small and their wages too low, and often the men who are called on to report are taken from the works of the contractors. I said a good deal about this last year. It was then treated as "rank blasphemy;" but now it is justified by the Report of the Lords' Committee on Sweating. What, after all, is the justification or necessity for all this waste of money, and the possible waste of life, if, when a war comes, our soldiers are badly clothed and badly armed? I can see no reason for all this complicated machinery. The cavalry make all their own clothes in the regiment by their own tailors, and why cannot the same principle be applied to the infantry? The one branch does not move about more than the other. They all wander about the country, like a travelling circus, in what seems to me a most unnecessary fashion. If there is an Army in the world in which the manufacture of clothing by the regiments on the spot should be encouraged it is the English Army. Our Army contains proportionately more women on the establishment than any other Army in the world, and they might be advantageously employed in making clothing. The system of having ready-made clothing from Pimlico sent down to the regiments is one of the most ridiculous systems that can possibly be imagined. A clothing roll is made out every year, and the men are measured in a rough-and-ready fashion, but the clothing comes down in assorted sizes, and when many of the men are no longer in the regiment, and every set of clothing practically has to be re-made by the master tailors on the spot, thus adding to the original cost. Sir Redvers Buller admitted that the system of the distribution of the clothing to the troops is a ridiculous one, and that he had often tried to get it altered. From the top to the bottom there is nobody, either in the War Office or in the regiment, or any individual whatever, who has any distinct or personal interest in seeing that these clothes are properly made, or that when they reach the soldiers they are made to last as long as they might last. In every other Army in Europe the soldier has a distinct inducement offered to him to make his clothing last as long as he can. In our Army no such inducement is held out. My hon. Friend shakes his head. Well, I know there are certain regulations as to compensation, but they are for the most part absurd. No soldier is allowed compensation at the end of a year unless the commanding officer can say that the whole of the clothing, with the exception of boots, will last during the whole of another year. If a soldier has satisfied the commanding officer on this point, he still has to go to the general officer commanding the district, and get his assent to the arrangement for keeping his clothes. That is the way colonels of

regiments are treated by the War Office. The result is endless restrictions and distinctions, and the occupation of clerks in long correspondence. When a soldier is made chargeable for loss of, or damage to, any portion of his uniform, the commanding officer has to work out an intricate arithmetical problem, in order to ascertain how much wear and tear of the article the country was deprived of. The thing is ridiculous, and it becomes the more so when it is borne in mind what ultimately becomes of the clothing. How do the Government dispose of the clothing to which, in the case of a single article being damaged by the soldier, they attach so much importance? Why, the whole of the disused clothing of the whole Army, with the exception occasionally of great coats, is disposed of in one lot to one single contractor. Moreover, it is not disposed of when the clothes actually come into disuse, so that the War Office know what they are selling and the contractor what he is buying, but a great number of the articles thus sold have never been used at all. Last year the contract entered into for the sale of the clothing for the entire Army was actually for three years in advance, at the rate of £50,000 a year, so that the War Office did not know what they sold or the contractor what he bought. The whole thing is a gross speculation. And as to the applications for tenders sent out in connection with this sale, only two were sent out in 1885. That is the way in which the contracting is done. You do not even get public competition. I contend that in this direction, also, a great reform might be made. I hold that the sale of the disused clothes should be intrusted to commanding officers of districts; and I believe if that system were adopted, and the clothes were sold in smaller lots, a much larger sum would be realised for them. Another evil connected with the system is this—and I mentioned it last year—that much of the clothing thus sold has never been in use. I am aware that my right hon. Friend the Secretary of State has made some improvement in this respect; but it is not worth much if the commanding officers cannot be intrusted with selling anything of more value than 3d. I fully agree with Sir Redvers Buller that this contract system of disposing of the disused clothing of the Army is monstrous. But the evil runs throughout the whole system of Army administration. Nearly every other Department is in as bad a condition as this one, and I propose to show when other Votes are discussed that the Clothing Department is no exception. I recognise fully the great pains which my right hon. Friend has taken since he had been at the head of the Department in order to improve it; for few Secretaries of State have worked harder than he has done. Yet, at the same time, I think it would be well if my right hon. Friend would take all advantage he can of the criticisms and facts that are brought before him. If, therefore, I have exposed any blots in the present system, and have shown the existence of abuses that ought to be remedied—and I have brought forward facts and official documents in support of what I have said—I hope that the right hon. Gentleman will not think I have been actuated by any hostile feeling towards him. I know that much of his time is taken up with schemes of military organisation and mobilisation which too often end in smoke, but these are matters which a civilian War Minister might well take in hand. In these days when our territory is extending, when we are taking upon ourselves obligations which it may require the whole Force of the Empire to defend—when our frontier is no longer the sea, and we are becoming a great land power in Africa, Asia, and America, our Army will be a much more important element of defence than it has been in the past; and if the people of the country are to be brought to believe, as I believe, that the Army should be great and strong, the very first duty that the War Office owes to the nation is to let it feel that the money spent on it is thoroughly well spent. In that case I am certain that the people of this country will never grudge the money given for the defence of the Empire; whilst, on the other hand, if the present system of maladministration continues, we shall discover that, however great our necessities, we may some day find the people of this country unwilling to spend money which will be wasted away under this chaotic and idiotic system. (8.45.)

*(9.12.) THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): My hon. Friend the Member for Preston has pronounced a strong indictment against the Army Clothing System, and has put before the Committee in very clear language his objections to this Vote. He has complained generally of the system, and his charges are definite, but they are unsupported by facts, and contrary to the experience and opinions of those who are best qualified to speak on the subject. He has told us that not only is the system defective in itself, but that the factory at Pimlico is in the wrong place, and that the wrong men are at the head of that factory. With regard, however, to the results of the system, my hon. Friend has told the Committee very little in support of the strong indictment he has drawn up. He has stated that the clothing of the Army is shoddy clothing, but he did not bring before the Committee a single fact, argument, or suggestion, to fortify that statement.

MR. HANBURY: I think I mentioned Lord Wolseley.

*MR. BRODRICK: The utmost my hon. Friend attributed to Lord Wolseley was that some foreign Armies had clothing decidedly superior to ours. I do not desire to detract in any way from the authority of Lord Wolseley; but I must say that that was a somewhat haphazard statement on which to found an assertion as to the value of the whole of our Army clothing. If my hon. Friend were to turn to the Report of the Committee which investigated this subject with the utmost care and attention, and was presided over by the noble Lord the Member for Paddington (Lord R. Churchill), he would find that that Report does not contain a single word by way of attack of the quality of the clothing. When the hon. Member for Preston supports himself by citing Lord Wolseley, I must refer the hon. Member to the answers Lord Wolseley had given to the Committee.

MR. HANBURY: Lord Wolseley distinctly stated that the clothing of the Army was in most cases too dear, and in some cases extravagantly so.

MR. BRODRICK: I do not remember that Lord Wolseley has used such language in speaking of clothing generally. It is possible he might have applied the term "extravagant" to some detail, such as the bearskins of the Guards; but the possession of these is more a question of prestige and sentiment than anything else, and it is not fair to take a remark made upon some item and use it as if it had been a condemnation of the whole clothing of the Army. On the other hand, in reply to questions respecting the German Army, Lord Wolseley said the material of the clothing was good, but the clothing was poor, and the German soldiers fought under great difficulties on account of their clothing. Lord Wolseley also stated how much longer certain articles were worn in the German Army than in the English Army; but in this connection the noble Lord remembered that ours was a Volunteer Army, for which recruits would not be obtained unless it were a well-dressed Army. My hon. Friend referred to the fact that, in the German Army, one pair of trousers is issued every 15 months, but I am certain that if we were to adopt such a system, complaints would very soon be made in the House of Commons. The hon. Member laboured somewhat ungenerously the question of the quality of the boots supplied, because, in consequence of complaints made formerly, the quality of the boots have been greatly improved, and there have been scarcely any complaints during the last two or three years. In fact, it is well-known that rejected Army boots fetch a good price in the general market, and if the boots that were rejected were good, it may be fairly inferred that those which passed the Inspector were better. The whole question lies in discovering what is the feeling of the military officials themselves? The Military Authorities have no reason to be specially prejudiced in favour of Pimlico for this reason, that a civilian takes the responsibility of manufacture, and that soldiers have the responsibility of inspection. What is the result of the Reports on the clothing in this last year? There were 3,995 Reports received from the various regiments and various establishments. Of these, there were no complaints at all from 3,219 cases. Of minor complaints, more in the form of suggestions than anything else, there

were 603. Of serious complaints there were 173. But 60 of these related to the great coat cloths, which had been already condemned, and which I informed the House some time ago is to be improved.

MR. HANBURY: The great coat cloth was raised from 3s. 9d. to 5s. 6d. four years ago. Is that cloth still complained of?

*MR. BRODRICK: My hon. Friend is aware that we have some reserve at Pimlico, and so everything does not go out at once to the soldier, and I think he will find that the cloth complained of is that which has been superseded. It is very important that this House should not be under any sort of misunderstanding as to the organisation of the Pimlico Establishment itself. Now, my hon. Friend has fallen foul of the whole of it. He has referred in strong terms to its location. Well, we found it there when we came. It is a large factory, and a very good factory. It certainly would be an enormous expense to remove it. It has great advantages of locality, which I am afraid my hon. Friend does not sufficiently appreciate. I think he will find that it is not so much the case as he generally supposes, that the work-people are not living adjacent to the factory, and he will find also that it is an excellent store house and centre of distribution.

MR. HANBURY: What is the rent?

*MR. BRODRICK: I cannot at this moment state the rent. It is impossible to answer every question off-hand, though I could do so if time were given me. My hon. Friend, I think, has directed his whole mind to criticism, so that he has not realised the advantages of the situation of the factory. He asked why in the time of war the distribution of clothing was not under the Director of Stores and not under the Director of Clothing.

MR. HANBURY: I said nothing of the sort. I said the way in which clothing is administered in time of peace is totally different from what it is in time of war.

*MR. BRODRICK: The hon. Gentleman has not correctly stated his case. What he complained of was that the Director of Stores is not given the custody of the clothing already made up. You cannot have it both ways. If the Director of Stores is to have the custody he must have the distribution also. My hon. Friend has expressed himself in favour of decentralisation, and here you have a factory which is close to all the large railway stations, so that within 24 hours, the whole of the arrangements being already mapped out, we can supply every article of clothing that is necessary for the whole of the troops. My hon. Friend has made a very severe attack on the whole of the officials administering the Department. He spoke in a tone unnecessarily condemnatory and contemptuous. He spoke of the Head of the Department as a mere War Office clerk, appointed by his relative some 30 years ago.

MR. HANBURY: I said that he was inexperienced in the work, having come from the War Office.

*MR. BRODRICK: My hon. Friend constantly reiterated that he was a mere War Office clerk A public official has no power of reply save through the Minister. Here is a man who has long served his country, against whom there is no suggestion that he has not properly discharged his duties, who has not been censured either by the Committee of this House or the Royal Commission before whom he gave evidence — a man thoroughly conversant with his duty, and a man, if he is to be attacked, should only be attacked on definite grounds.

MR. HANBURY: What I said was this. Of course, Mr. Ramsay has had over 30 years' experience. No one denies that. But I entirely object to the principle of appointing as the head of the Clothing Department a War Office clerk who can have had no experience. I say you ought to have experts at the head of this Department.

*MR. BRODRICK: I wish my hon. Friend had stated that as clearly before as he has now. That conveys an entirely different impression. I am entirely in accord with him as to appointing experts, but it is not always possible to secure them. Well, then my hon. Friend pointed out our difficulties with regard to the inspection of clothing. I really think the public will sympathise

with us to some extent in the difficulties in which we found ourselves. Mr. Burnard was a most valuable public servant and he was suffering from a most trying calamity—the loss of his eyesight. His doctors assured him that it was very probable that he would regain his sight. We were anxious not to be deprived of his services, nor did we wish to penalise him because of his misfortune. His duties were discharged for him for a period. His touch was still of value, although his eyesight was deficient; and when we were satisfied that there was no longer reasonable hope of his recovering his capacity of viewing he was pensioned. Then, my hon. Friend says there were a large number of competitors, and that, in spite of that fact, Mr. Wrigley was engaged, though he was over the proper age. It is true that we laid it down that 40 years of age should be the limit, and it was equally true that Mr. Wrigley was above that age, but we were in this position, that although Mr. Wrigley was past 40 years of age his testimonials led us to believe that he was undoubtedly a better man than any of the other applicants. His papers, together with those of the other applicants were submitted to two experts, and these gentlemen unhesitatingly gave it as their opinion that Mr. Wrigley was the person who should be appointed. Under the circumstances we felt that it was absolutely necessary to take the best man, who, I may remind the Committee, was in the very prime of life, with 20 or 25 years of good work in him. He was content to come to us, and, for our part, we considered ourselves lucky in being able to secure his services. The hon. Member brought forward a most serious charge in the matter of sweating. In regard to that, we have been placed in a position of extreme difficulty at the War Office. Contractors of all kinds are willing to compete against one another, on terms which are barely remunerative, if, indeed, they are remunerative at all, for some contracts have been undertaken at an unremunerative price, in order to prevent the establishments of the contractors from being broken up. My hon. Friend holds that we ought to fix the rate of wages, but no Government has been able to do so successfully since the days of the early Edwards.

Mr. Brodrick

MR. HANBURY: That was not my suggestion. I only referred to a suggestion made by the Director of Contracts in evidence.

*MR. BRODRICK: What the Director of Contracts undertook to do was to ask the contractor at the time a contract was made for the rate of wages he was paying. It would then be possible for us to have regard to that rate of wages in giving out contracts, and, if necessary, to pass over those contractors who were not paying fair wages.

MR. J. ROWLANDS (Finsbury, E.): Had the Director of Contracts seen the list of prices in the accoutrement trade—the wages paid to the men?

*MR. BRODRICK: I am not referring to that. We bound the contractors to put up the rate of wages paid to their workmen, but that does not arise under this Vote. Most unhesitatingly I say I shrink from adopting the recommendations of my hon. Friend. The hon. Gentleman attacked us for not doing that which it is extremely difficult to do, namely, to settle the rate of wages amongst those who tender against each other. He complains that we have not properly administered the factory clause. In point of fact, we have imposed a fine in certain cases, but there are other cases in which it is extremely hard to carry out the factory clause. I thoroughly recognise the value of my hon. Friend's suggestion that the wives of the soldiers should be employed in making clothing for the Army. About 4,400 women are so employed at present, and there can be no objection whatever to extending the system, if possible. With regard to what has been said about pet contractors, I may make this remark. The Director of Contracts may accept the lowest tender without reference to a higher authority, but he cannot give the bulk of an order, or any part of it, to a higher tender without the consent of the Financial Secretary or the Secretary of State. If the lowest tender is recommended to him he has power to accept it, but if he desires to give to the man who has tendered at 4s. 6d., 10,000 out of 90,000 yards, and the remainder to a man who has tendered at 5s., he is bound to refer the matter to the Financial Secretary. It is impossible to give the bulk of an order to the highest

tender without referring to a superior authority. The system on which we have endeavoured to administer tenders is clear. We do not pay anything over the lowest tender if we can avoid it. If a man has previously tendered for the supply of a large amount of cloth, and has carried out his contract satisfactorily, no doubt the facts are in his favour, but ever since I have been at the War Office, our desire has been to give to the lowest tender every yard of cloth we think the contractor can supply, unless the reports against him and the rejections in the case of previous contracts have been so large as to render it necessary to be careful—for we cannot spend the whole of our time in inspecting and throwing away cloth. I can assure my hon. Friend, who has so little confidence in the present administrators of the War Office, that these contracts are given out with the greatest care—as he will find if ever he sets foot in the office himself. My hon. Friend was carried a little too far by his animus against the Director of Contracts when he cited a portion of the Report of the Lord's Committee on Sweating. The Report of that Committee says that grave irregularities have doubtless occurred in the "furnishing" of Government contracts. The paragraph reflects, not on the Director of Contracts, but upon those who ought to have inspected goods in times past. I fully admit the unfortunate results of such enormous orders having been given out in 1885, and the Departments are fully alive to those unfortunate results, and have taken them to heart. The Committee was strongly of opinion that greater vigilance should be exercised in placing the contracts; but the experience the Committee was working on was of the enormous orders given out much too precipitately in 1885, the unfortunate results of which we have seen. The hon. Member alluded to the insufficiency of the staff of viewers for the work they have to discharge, and cited the Report as to the small salaries which they receive, which throws great temptation in their way, but my answer is that the staff of viewers is not under the control of the Director of the Contracts. It must be remembered that if it is suddenly determined to spend eleven millions and to give out orders in every direction, great difficulty must be experienced in seeing that those orders are properly carried out. The hon. Member has attacked the Department very severely on the subject of the system we adopt in selling disused clothing, and has maintained that such clothing should be sold piecemeal and locally. I must say we differ from him in that respect. The advice we received from a great many quarters has since been confirmed by experience that a much better price is obtained for disused clothing when it is sold in large quantities than when it is sold locally in small parcels. My hon. Friend makes a comparison between our Army and other Armies. But Lord Wolseley pointed out that under the practice in Germany the troops never move. The soldier has a large box in which he keeps his clothing, so that he can use it to the very last. "We, on the contrary, shuffle our men out of their old clothing the moment it is done for," says my hon. Friend; but there he makes a mistake. Every commanding officer keeps that clothing as long as he likes. We, on our part, have no desire to hand over a single garment to the contractor that the officer commanding a regiment desires to keep. But our commanding officers have this difficulty to face, that they have to take these men on foreign service, and be prepared to move with them from place to place, and they will not hamper themselves with a large quantity of clothing, so that what occurs is not the fault of the officers, but of the system. My hon. Friend contended that we should effect a saving if we did not sell in such large quantities. Well, in deference to his views and those of others, we called for tenders, either for part or the whole, for any garments separately and in any numbers, and the result of that system is that tenders for the whole are infinitely higher, relatively, than tenders for a part of the same articles. My hon. Friend (Mr. Hanbury) calls us to account for having a large establishment at Pimlico, and for not using it up to its full capacity. That is really a question of policy. We think we should need a very great expansion in time of war, and we cannot provide for that expansion solely by

means of contractors. In our opinion, we should do well not to work our factory above 50 or 60 per cent. of its capabilities. We consider it a wise policy to maintain factories of such producing power that there will be no necessity for running to contractors all over the country in case of any sudden emergency arising. The hon. Member was, I think, a little hard upon the Department when he complained that work was done at the Pimlico factory for the colonies and the Post Office. If other Public Departments want their work done at Pimlico that shows that, in their opinion, the work done there is efficient and of a highly satisfactory character. Complaint has been made that we have not a sufficient reserve of clothing. I hope my hon. Friend will not mind if I say that on that point he based his complaint on an isolated answer of the Director of Clothing. We thought it desirable at the time that not too much information should be given. I do not wish to say at what period of the year we had an enormous reserve and at what period we had the least reserve, but I may tell the Committee that the figures given related to by far the smallest reserve in that year. What my hon. Friend said about the discussion as to small expenditure on repairs was extremely amusing, but I am sure he will admit that these are not things of every day occurrence, and it is obvious such repairs should be and are executed at the regiment. With regard to the clothing for which the soldier is charged we cannot, I think, make too accurate a calculation when we are stopping the amount from the man's pay. Now, I trust I have shown that the Department does not deserve all the hard things my hon. Friend has said of it. We feel as strongly as he does the necessity of having the clothing of the Army in a thoroughly practical and efficient condition, and we are very far from shutting our eyes to any improvement that may be suggested. The Quartermaster General, who has been cited, has full opportunity of representing his opinions very strongly, and his views have immense weight with the Department. We desire to preserve the factory at Pimlico, as at present, so as to be capable of expansion and to keep up the trade all over the country, so as to ensure the high quality of the garments supplied. I do not think anything has fallen from my hon. Friend which would justify the Committee in assuming that the country has lost anything by the system that has been pursued during the last two or three years. I admit that there have been times of pressure, when the supply has not been as satisfactory as it might have been, but we are always ready to recognise the efforts of those who, like my hon. Friend, do their best to show us where we can remedy defects. We shall use every effort to provide that contractors who get a fair price from us give a fair price to their workmen. In this respect, the advice of any Member of the House who is interested in trade will be valuable, and I would invite suggestions from any Member on either side of the House, and information as to any case of sweating under a Government contract.

(9.58.) MR. HANBURY: One practical question. My hon. Friend invites suggestions. Will he see that proper Inspectors are appointed to see that the Factory Acts are put into operation, so as to prevent sweating?

(9.59.) MR. J. ROWLANDS: I was very glad to hear the hon. Gentleman say the War Office would do everything they could to put down sweating. I do not think the hon. Gentleman can read the Report of the Lords Committee on sweating with keen satisfaction. The Government Departments have not come out of that investigation at all well. If there is one body more than another which can and ought to keep its contracts free from all kinds of sweating, it is a Government Department. The right hon. Gentleman seemed to think there was nothing to complain of in connection with the strictures of the Lords Committee. I think the very paragraph he quoted, as far as it relates to the placing of contracts, taken in connection with the other comments of the Committee on Government contracts, is something which the representatives of the War Office ought to look into. I would point out that the one thing which has been told all through is that, wherever possible, the factory clause has been introduced into contracts. The evidence of the Director of Contracts himself, however, and the strong state-

ments which appear in the Lords' Report, show that the factory clause, as put into contracts, is simply a delusion and a snare. If the factory clause is put into contracts, why do not the Government see that it is carried out? You had better by half leave it out of contracts altogether than delude Members of the House with the idea that it is having a great effect in doing away with sweating when it is doing nothing of the kind. The Director General, in the course of his evidence before the Committee, stated that all the clothing contracts now contained the factory clause, but said he had no means of inspecting the factories during the execution of the contracts. Asked whether anybody had a right to check the contractors, he said the Home Office Inspectors visited them for the purpose of the Factory Act. He was asked, "Is it nobody's duty to find out whether the factory clause is carried out in Government contracts?" and his reply was "Not at present." He said he trusted to the *bonâ fides* of the contractor and that in large contracts it was more economical for contractors to do the work themselves than to get it done outside. Now, Sir, I do think that before this Vote is passed we ought to have a distinct statement from the right hon. Gentleman (Mr. E. Stanhope) that machinery will be created for the purpose of putting the factory clause into force. I do not intend now to go into the questions so ably dealt with by the hon. Member for Preston (Mr. Hanbury). I would merely say that, after trying as an outside Member to get the knowledge that is necessary to protect the working people, I have arrived at the conclusion, which I think is also the conclusion of the Lords Committee, that the best thing we can do, at all events for a start, is to get the factory clause put into all contracts and thoroughly carried out. It is because we believe this would tend to suppress the sweating that has undoubtedly gone on, and full evidence of which will be found in the Report of the Lords Committee, that we press the right hon. Gentleman for some statement as to the action the War Department is going to take to provide that the operation of the factory clause is not a sham but a reality.

(10.8.) COLONEL NOLAN (Galway, N.): I think this Debate shows that it is a doubtful question whether the Government ought to have a clothing factory or not. The maintenance of such a factory cannot bring them directly in contact with all questions affecting labour and capital. It a different thing at Woolwich and Enfield, where the best classes of labour are employed, and the men are highly paid. In a clothing factory you have to deal with a class of people who get about the lowest wages in the country, and the question at once arises whether the Government should take upon itself the settlement of any of the problems of work and labour. I believe private manufacturers could supply clothing quite as well as any Government factory. It is very necessary we should have a Government factory for warlike stores; but I cannot think it is necessary to have a Government factory for clothing. Soldiers like Members of this House do not want the best material. They like to have new clothes on; after a time they get absolutely sick of old clothes and desire to cast them aside. They therefore do not require the best material. Soldiers do not care for a great coat that lasts for ever. On the whole, I think the clothing is tolerably fair. There are some regiments that are very expensive. The Financial Secretary instanced the Guards. There are also Highland regiments, and several of the Cavalry regiments, whose clothing is expensive, something like £6 per head. There is one point which lays the Government open to suspicion, and it is that the contracts are not published. No one knows whether the lowest tender is accepted or not. The non-publication of the tenders is a system which may lead to corruption. Of course, I do not mean to say that the person who at present is in authority is at all dishonest; but the only way to get rid of the possibility of corruption is to publish the winning tender. Again, I think the troops ought to be localised more than they are at present. We should save a great deal of money, and add greatly to the comfort of the soldier. On the Continent there is considerably less movement; but here regiments are moved from Aldershot to Dublin, from Dublin to York, and back again to Aldershot, and all in the space of a very short time. Another point the Secretary of State

ought to turn his attention to is the food of the soldier. I think the soldier is sufficiently well-dressed to attract recruits, but I think he ought to get more food or more pay. I do not think he should get a larger ration of meat or bread, but at present the soldier has to find his sugar and butter. The least we could do would be to give the soldier a free breakfast. Again, I have found lately that the Infantry soldiers are very small and young; you are taking them about a year younger than you used to do. They, of course, grow into fine men, but I think it is bad policy to take men who are too young for their work. The result is that you are practically paying 1,000 men when only 600 or 700 are available. I have no doubt it is very difficult to find recruits. The soldier is beginning to thoroughly realise that he does not get a pension, and that he does not get his food free: all he gets is ¾lb. of meat and 1 lb. of bread. I should like to know what is the price paid for meat.

(10.23.) GENERAL GOLDSWORTHY (Hammersmith): I quite admit the time has arrived when the rations ought to be increased. At the present time there is difficulty in recruiting, and the difficulties increase as the wages of civilians increase.

*(10.24.) MR. E. STANHOPE: I wish to interpose at this point to remind the Committee that there is a general desire on the part of hon. Members to reach the discussion of a matter of great importance to the Army. Although I cannot suppose it will conclude to-night, I understand there is a general desire to begin the discussion to-night. With regard to what has fallen from my hon. and gallant Friend the Member for Galway, he seems to suggest a doubt as to whether the clothing factories should exist at all. The idea is that we should hand over to each regiment the duty of providing their own clothes. That system was tried, and it broke down. There is one important matter to which I should like to draw attention. We are always liable to strikes, and I can well believe the Army might be placed in a most dangerous and difficult position in a time of crisis when we required garments on the shortest notice if we were not able to control the supply. I am quite ready to admit that the clothing factory may not be established in the best place, but still it is of great advantage to the Army. The hon. Member for Preston asks what is the rent of the ground. It is £3,500 a year; we hold the ground on lease-hold tenure. Then my hon. Friend asks a question with regard to the wages paid at the clothing factory. I am glad to be able to inform the House that the rate of wages in the clothing factory compares not unfavourably with that in any other establishment. Machinists get from 23s. 6d. to 24s., and sewers from 14s. a week. The hon. Member says the clothing supplied is not cheap clothing, and he goes on further to advocate very strongly the principle of open contracts. I have always told him that I feel very strongly that the system of open contracts is the better system; but surely the hon. Member will see that the system of absolutely open contracts is impossible of application at the same time that you are trying to abolish the system of sweating. If you allow complete competition between contractors you cannot ensure that they will not resort to sweating.

MR. HANBURY: You must not take the lowest tender.

*MR. E. STANHOPE: My hon. Friend says we need not take the lowest. I thought it was the very point of the discussion, that if one thing was more desirable than another it was that we should take the lowest tender.

MR. HANBURY: I mean that it should be seen what the contractor gives his men.

*MR. E. STANHOPE: An hon. Member also suggested, I think, that we should quote the prices at which the contracts are obtained. So far as I am concerned, I have a perfectly open mind on the question of making tenders public. My hon. Friend at the head of the Admiralty is equally disposed to adopt that system which, upon the whole, seems the best in the interests of the country. We have directed inquiries to be made to contractors in all parts of the country, and to bodies perfectly well able to gauge what is the best course to be adopted, and we find the preponderance of opinion not only among contractors, but Chambers of

Commerce was that it is not desirable to make these tenders public. And two responsible officers, to myself and to my hon. Friend, reported that after the most careful consideration, they did not think it in the public interests to make tenders public. I have considered the matter, and speaking for myself, after considering that Report, I came to the conclusion that it was founded on sound principles, and that it is not expedient that tenders should be made public. Then the hon. and gallant Member spoke of the movement of troops, and I entirely agree with him that economy should be consulted in moving the troops as little as is consistent with efficiency and comfort. But you cannot always keep the troops in one quarter. There are only a certain number of pleasant billets in the United Kingdom, and if, when you bring troops from foreign parts, you were to put them in uncomfortable quarters—I will not say in what part of the United Kingdom—where they have discomforts, and where they have not the society of their friends, you may depend upon it the system of voluntary enlistment would be seriously endangered. Therefore, we are obliged, in the interests of the Service, to give all our troops a share of pleasant quarters; otherwise, the Service could not be carried on satisfactorily. My hon. Friend the Financial Secretary calls my attention to the fact that as regards the cost of transit in the present year we are enabled to show a saving of £10,000. Then, also, the hon. Member referred to the question of inspection. I think both hon. Members will admit that the responsibility of factory inspection does not lie with the War Office, but with the Home Office. Factories in which goods are produced for the War Office must be inspected just as much as any other factories by the Home Office. But we do accept special responsibility with regard to certain particular points; and I told my hon. Friend, in answer to a question which he addressed to me some weeks ago as regards clothing, that the Director of Clothing has taken care that certain officials from the Clothing Department should visit the factories. But my hon. Friend suggests that we should appoint one Inspector. For my part, I think very considerable advantage is derived from the existing system of having, instead of one Inspector, a change of Inspectors who are not known to the contractors. I have dealt with the various points that have been raised, and I only want to refer to two other points. My hon. Friend has talked of the Clothing Department, and he has attributed all sorts of evils to the system which is pursued there, and he told us in language very minatory that this Department was only typical of what was going on in the various Departments of the War Office, and when the time comes he will show that to be the case. If he can only show that the other Departments of the War Office are conducted as well as the Clothing Department, I will be very glad. I believe, for my own part, that the Department is conducted in a manner which reflects the utmost credit upon its managers. I am very certain that every inquiry that has been instituted has only resulted in showing that it is one of the best conducted Departments in the Public Service. I will go very much further. I invite any hon. Member of this House to visit that factory. He shall have access to every branch of it; he may see the books, and every facility will be given him to ascertain the system of management, and I am perfectly confident he will come back to this House filled with the belief that there, at all events, is a Public Department conducted on sound principles of economy, combined with efficiency. One other point my hon. Friend talked about, the reserve of clothing, and he quoted from a Report now several years old. What I have to say to the House now is practically only a repetition of what I said when I made my speech on the Vote for the Army Estimates. We have given our closest attention to the question of the reserve of clothing. It has been insufficiently attended to. I do not want to blame one official or another, but it has not been fully attended to until recently. We have given our utmost attention to the reserve of clothing, and at this moment I am happy to be able to say that we have not only a satisfactory reserve of clothing, but we have such arrangements as will enable us, in the event of the mobilisation of all the Forces of this

country for the purposes of defending the United Kingdom, to supply within a reasonable period, calculated according to the probabilities of the notice we should expect, within a perfectly reasonable and a very short period, all the troops of the regular Army, the Reserves, and the Militia, with the further clothing that they would require properly to take their places in the defence of the country. I hope that statement, broad as it is, will be satisfactory to the House. One step further. My hon. Friend talks of the necessity of decentralisation with regard to clothing, and he points out that we have decentralised other stores. Why, he asks—and perfectly reasonably—do we not decentralise the clothing? I will tell him why. Supposing the troops in a particular depôt centre were called out for service at this moment. There may be a regiment of Highlanders, and, you may have had in the year before a regiment of a totally different character, and for which the clothing would be absolutely useless. Nor can you tell the size of the men for whom you are called upon to provide clothing. On the whole, considering the necessary changes that take place and the different sorts of troops which are found at any given station from year to year, we feel that an absolute economy of time is produced by keeping the main portion of the clothing in one centre, so that when the occasion arises for the issue of it for the purposes of mobilisation, it can be despatched, as we are absolutely able to do within a very few days, to the quarters where it is required, and according to the needs of the particular place. I hope the House will think that the War Office has made reasonable provision, and that it will now allow the discussion of the further Vote, in connection with which there are questions to be raised in which a very large number of Members are specially interested.

(10.43.) MR. HOWELL (Bethnal Green, N.E.): The right hon. Gentleman has referred to the inspection of factories. The Factory Inspector has no right to interfere with what is intended to be interfered with under the Factory Clause. In the present position of the labour market, the outcry against sweating in all parts of the country, and the very severe condemnation of the Government system in the Report so recently issued, I do think that the right hon. Gentleman should take special care to enforce the Factory Clause. I quite agree that the present system of inspection is better than having one man to go from place to place, and I do urge upon him to see that the Factory Clause is absolutely carried out.

(10.45.) MR. W. REDMOND (Fermanagh, N.): The right hon. Gentleman has stated, as I understood him, that 14s. 6d. is paid for a week's hard work. I should like to know how that compares with wages paid in other factories. I think that in matters of this kind the Government ought to set a good example, and I trust the right hon. Gentleman will be able to hold out some hope that these people will be paid in the future something like a fair amount of wages.

MR. HANBURY: My right hon. Friend has spoken of this Department as being of great use in case of a strike. May I ask him whether these persons are entitled to anything in the shape of pension? because, if not, I cannot see in what way the Pimlico factory can be regarded as a protection against strikes.

*MR. E. STANHOPE: I believe it will be found that the amount of wages paid compares favourably with what is paid elsewhere for the same kind of work. I may add that we are very careful in the selection of those who are employed in this work, and that we have made admirable arrangements for providing them with excellent food at an exceedingly low rate.

Vote agreed to.

Motion made, and Question proposed,

"That a sum, not exceeding £258,400, be granted to Her Majesty, to defray the Charge for the Salaries and Miscellaneous Charges of the War Office, which will come in course of payment during the year ending on the 31st day of March, 1891."

*(10.48.) MR. E. STANHOPE: I am under a pledge to the House to state what are the views the Government entertain with regard to the Report of the Commission presided over by the noble Lord the Member for Rossendale. And I do not think I should properly be discharging my duty if I did not ask the Committee to allow me to express to the

noble Lord and his Colleagues my very hearty thanks and the thanks of the Government for the manner in which they discharged the very arduous labours they undertook. That Commission was a very strong one indeed. It contained no less than three ex-Secretaries of State. It contained, also, two or three men who have had a large experience in the administration of other Services, as well as men of business habits, and altogether nobody can deny that they formed a very strong Commission. There is one thing on which I desire to say a preliminary word. There was an exceedingly able article in the *Times* newspaper describing the recommendations of the Report in a manner to which I do not desire to raise the smallest objection, but it did me the honour to include me as one of the members of the Commission. I am bound to say I can claim no such honour. I was not a member of the Commission, and I am rather sorry that in the otherwise very accurate Report that statement should have been made. Now, the Commission over which the noble Lord presided went to the very root of the matter and discussed principles of the most vital importance, and laid before us a State Paper which we read now with great interest, and which I venture to say will remain on record as one which those who have to administer, either the Army or the Navy, for many years to come will undoubtedly require to have recourse to. I propose to deal, first, with the preliminary Report of the Commission. And here I may say that, with the exception of one particular recommendation in the preliminary Report bearing on the Admiralty, I do not propose to refer to the recommendations in relation to the Admiralty. That is for my noble Friend; but the particular proposal to which I am about to call attention is one that affects not only the War Office, but also the Admiralty. There is a proposal in the preliminary Report that there should be established a Naval and Military Council for the purpose of considering questions affecting the War Office and the Admiralty. Now, I ought to say that I think the actual differences between the War Office and the Admiralty have been very much exaggerated. The experience of my noble Friend the First Lord of the Admiralty, as well as my own, leads me to the belief that there is no necessity for any friction or serious difference between the two Departments. Of course, my noble Friend and myself have had differences of opinion on many questions affecting the two Departments; but those differences have never assumed any acute form, or one likely to endanger the efficiency either of the one Department or the other. But there are matters between the two Departments in connection with which the work must necessarily overlap. The more they desire to do their work well the more is the work likely to overlap; and I think, for my own part, there is nothing more important as regards the proposal of a Military and Naval Council than a paragraph which I will now read, and which shows the particular points it is most desirable should be referred to such a Council if it should be established. The Report of the Commission says that the Council should be summoned from time to time

> "To consider and authoritatively decide upon unsettled questions between the two Departments, or any matters of joint naval and military policy, which, in the opinion of the heads of the Services, required discussion and decision. It would be essential to the usefulness of such a Council and to the interests of the country that the proceedings and decisions should be duly recorded, instances having occurred in which Cabinet decisions have been differently understood by the two Departments."

Now, the criticism which I have to offer on the part of the Government upon that proposal is this—we do not think that it covers ground enough. We think that questions affecting the Army and the Navy also in many respects affect the Colonial Office, the India Office, and sometimes even the Foreign Office, and the Government think, therefore, that any scheme that might be adopted dealing with these matters will be essentially incomplete if it do not take into consideration the wants and wishes of those two great Departments. Having, therefore, taken into consideration the recommendations of the noble Lord and his Colleagues, and bearing in mind that criticism which I have mentioned to the Committee, we think that a Naval and Military Council might be formed within

the Cabinet under the presidency of the Prime Minister. I do not at the present moment desire to lay down any basis limiting either the functions or the constitution of the Committee, but we think it is essential for the naval and military policy of the country being conducted in relation to and in concord with the other great Departments to which I have alluded that such a Committee should, in some form or another, be constituted. We agree also with the recommendation of the Commission that the Resolutions of that Committee should be formally recorded. We think they should be submitted to the Government for approval, and that after they receive the approval of the Cabinet they should be recorded not only for the benefit of all the Departments concerned, but also for the benefit of our successors in office. Now, Sir, I proceed to deal with the further Report of the Commission; and, first of all, I should like—dealing, I will not say with minor questions, but with questions not of the first importance—to invite the attention of the Committee to the recommendations in paragraph 100 of the Report. Paragraph 100 recommends the establishment of a permanent War Office Council, under the presidency of the Secretary of State, and the object to be atained is "securing unity of administration and strengthening the consultativn element in the War Office." Most Members of the House are aware that in former times there existed at the War Office a Council to which various officers were summoned to give their advice to the Secretary of State on important questions that might arise. But we perfectly agree that meetings of that sort require to be placed upon a more definite, permanent, and secure basis than that on which they now stand, and we are of opinion that in future there should be a formal War Office Council meeting under the presidency of the Secretary of State, not in any way derogating from or depriving him of complete and sole responsibility for all that goes on within the walls of the War Office, but, nevertheless, assisting him in a more formal manner than hitherto in arriving at decisions of primary importance to the country. We have said that that Council should be composed of civil and military officers, and we have taken steps to provide for freedom of discussion in the Council, and for recording the decisions at which it may arrive. Closely connected with this is the question of the establishment of a Promotion Board. The question of promotion, especially to the higher ranks of the Army, acquires very great importance from the fact that promotion by seniority to the higher ranks will be abolished, and that selection becomes the rule for the rank of colonel and also of general. We take this opportuaity of securing that promotion to the higher ranks which, I believe, for the most part in times past has been satisfactory, shall be not only satisfactory in itself, but shall recommend itself to the general opinion of the Army. We think that can best be done by the establishment of a Promotion Board connected with the War Office, which shall recommend to the heads of the Department men who ought to be selected for promotion to the higher grades. In this way we believe that a better choice would be made than has hitherto been the case. I now come to the much larger and graver question—the great crucial question—which I may sum up in the proposal for the abolition of the office of Commander-in-Chief of the Army. I do not think I can better state what I want to say than by quoting from the Report of the Royal Commission. The Royal Commission, while acknowledging to the full the services rendered by the present Commander-in-Chief, go on to recommend that when a vacancy occurs certain great changes should take place. In paragraph 67 they say—

> "While we have considered it necessary to indicate the defects in principle which exist in the present organisation of the War Office, we recognise that the unique position so long held by the present Commander-in-Chief may have rendered it undesirable to adopt any other system in making the recent changes, and that his great experience may have enabled the existing system to work with the success claimed for it during the short period for which it has been in operation. His Royal Highness has on all occasions accepted with the greatest loyalty the changes which successive Secretaries of State have thought it right to introduce, and he has brought to bear upon the work at the War Office a personal popularity with the Army in general which cannot fail to be of public advantage."

And they go on to say—

"But it is clear that no possible successor could enjoy a position and influence which years of service to the State are alone capable of establishing. We therefore proceed to indicate the general lines upon which we think the administration of the War Office should be based, and towards which, on the occurrence of a vacancy in the office of Commander-in-Chief, or at any favourable opportunity, future changes should be directed."

Nobody can deny that the recommendations which follow are far reaching. They are to the effect that the office of Commander-in-Chief as it at present exists should be abolished, and that there should be established a Chief of the Staff, who should be responsible to the Secretary of State, and who would promote unity of administration at the War Office. I say again that these are very far-reaching recommendations indeed. They affect almost every branch of military administration, and they raise questions as complicated and perplexing as any Government has ever had to face. It is quite clear from the discussion which has taken place that some of these questions excite opposition of the most varied character. And they affect not only the working of the War Office, but also the position and relations of the War Office to the general government of the country and to the Crown. These recommendations, supported as they are by high authority and contained in a State Paper of extraordinary importance, have engaged, and are engaging, the most serious attention of the Government. We feel that it is not a question to be disposed of off-hand nor without the fullest investigation and consideration, and, while we are fully aware that no decision of ours upon this great question can bind any successors of ours who may happen to be in office at the time when the vacancy in the office of Commander-in-Chief occurs, we reserve to ourselves the right to announce at the time of our own choosing our definite opinion upon the recommendation of the Royal Commission. I desire, on the part of the Government, to express our concurrence in the terms of the paragraph in which the Royal Commission state their views as to His Royal Highness. I think I am entitled to speak with some little authority as to what His Royal Highness has done, and this, at least, I will say—and I am sure right hon. Gentlemen opposite, who have had similar experience will agree with me—that I believe there can be no doubt that, whether in the occasional differences that happen between the Secretary of State and the Commander-in-Chief the Commander-in-Chief is wrong or right, he is always actuated by a feeling of devotion to the Service to which so long a period of his life has been given, and by a keen desire to maintain its honour and promote its interests. While I have no desire to express a final decision upon the main principle, we think that there is no reason why, at the present time, we should not fill up the office of Adjutant General, which is shortly about to become vacant. I have seen it stated in some of the newspapers that Lord Wolseley was retiring because of personal differences with myself. I am very glad to say, in spite of the newspaper paragraphs, that my relations have been always uniformly of an extremely friendly character with Lord Wolseley. He is retiring from the War Office now, having exceeded the term of office for which he was appointed. He will retire on the 1st of October next, and I cannot allow that to pass without saying that I think he may rest satisfied that the work he has done for the War Office during the seven years that he has been connected with it as Adjutant General will undoubtedly leave a permanent mark. He may be perfectly satisfied the foundation has been laid of an organisation which I believe will be satisfactory, and likely to remain the permanent organisation of the Army. We have also had to consider his successor. Our desire, our feeling of responsibility leads us to say that two conditions ought to be fulfilled, first, that we ought to have the strongest man that it was possible to draw from the ranks of the Army; and, second, that we ought to have a man not only acceptable to ourselves, and to me personally, but also acceptable to the Army generally. Of course, there is a name which naturally springs to the minds of a good many of us—I mean the name of Sir Frederick Roberts. It is the desire of the Government that the great services of Sir F. Roberts should be utilised in the best way and in a manner which will result in the greatest advantage to the Public Service, and I am quite certain, speaking

as I do at a great distance from Sir F. Roberts, that if he were here to-night he would cordially share that opinion. He has never been desirous of pushing any claim. He has always been desirous of trying to serve his country in that post in which he finds himself, and after very careful consideration of the whole position of affairs the Government has come to the conclusion that in the excellent work which Sir Frederick Roberts has done and is doing in India he ought not to be disturbed or interrupted. We have, therefore, with his consent, decided that he is to remain in India for the next two years. The successor, therefore, of Lord Wolseley will be Sir Redvers Buller. I think that in choosing him for this important post we are choosing a man who, as far as we can judge, will deserve and obtain the confidence of the Army. Personally, I deeply regret to remove him from the post which he has filled with so much advantage to the Public Service. The position of Quartermaster General is one of great importance. Not only must the man there be one of great ability and of first-rate industry, but we know that at certain critical times it is a post on which the very efficiency of the Army largely depends. That leads me to make one further remark. My experience is that in certain critical times the War Office has been nearly denuded of officers, who are appointed to the field. I am the last person to deny to them the opportunity of gratifying their legitimate ambition of going to the front when they can. If we denied it to them I am sure we would have difficulty in filling the posts, but it is not right that both the principal Staff Officers of the Commander-in-Chief should leave the country and go to the front. I think it is necessary to lay down the complete understanding that, so far as we are concerned, it will not be possible for both these officers to go to the front. Perhaps the Committee will forgive me if I say one word personally of myself. These questions of Army administration are—I am sure the Committee will admit it, though I think they hardly know the fact to the full extent to which I myself can speak of it—of the utmost difficulty and complexity. I think I may say that I have had more than my fair share of them. Over and over again I have had the forbearance and the consideration of the House of Commons when I have had to make known to it the views of the Government with regard to these important questions; and, without that regard and consideration, no Secretary of State would wish to administer, or could satisfactorily administer, the important Department of the War Office.

*(11.25.) SIR W. BARTTELOT (Sussex, N.W.): I had hoped that the noble Lord the Member for Rossendale or some occupant of the Front Opposition Bench would have risen to debate the extremely important question which has been raised by my right hon. Friend, who has so well acquitted himself in a very difficult position indeed. He has not stated quite as much as I could have wished, and I hope on some future occasion to hear more with regard to the Commander-in-Chief. He commenced his speech this evening with a very important statement indeed with regard to the Naval and Military Council which it is proposed to create. Now, I should like to draw the attention of the Committee to paragraphs 7, 8, 9, and 10 of the Report, because I think it is virtually important we should have them before us. The first point which strikes me in the consideration of the organisation of the two great Departments is that while in action they must be, to a large extent, dependent on each other, and while in preparation for war they are absolutely dependent on each other, yet little or no attempt has ever been made to establish regular intercommunication or relations between them or to secure that the establishment of one Service shall be determined with reference to the requirements of the other. Now, in time of war it would be the duty of the Army to defend our distant possessions, such as India and the Colonies, and no perfect military organisation would enable the Army to do that effectually unless backed up by the Navy, which would be called upon to transport the troops. On the other hand, while the efficiency and power of the Navy is perhaps less absolutely dependent on the Army, yet the latter is necessary to give security to our military ports at home and abroad. Now, my right hon. Friend has said nothing about the preparations

for action by the Army and Navy in the case of certain contingencies arising.

*MR. E. STANHOPE: I spoke distinctly of joint Military and Naval Forces.

*SIR W. BARTTELOT: I wish to know whether schemes are already prepared to be put in operation in certain cases of eventualities—such as an attack on Constantinople, or India, or the Colonies? My right hon. Friend has, indeed, said that there is to be a Committee of the Cabinet; but unless experienced Military and Naval Officers outside the Cabinet are taken into the Committee, or into direct consultation with the Committee, its schemes for the defence of the Empire will not be satisfactory. I look on the gravity of this question as exceedingly great. I think the Naval and Military Members of this House may congratulate themselves on having brought this question prominently forward. They did me the honour two years ago to ask me to propose the Motion which resulted in the formation of a Committee of the Cabinet, and that Committee has increased greatly the strength of the Navy and arranged for the defence of our Colonies. This was followed by the appointment of the Royal Commission, presided over by the noble Lord the Member for Rossendale, whose Report constitutes a valuable contribution in the interests of the country. I know the difficulty of coming to a conclusion on this point suddenly; but I understand my right hon. Friend has agreed that a Council shall be appointed at the War Office to assist him in carrying out all these great objects which come under his consideration. It is very well to have a Council, but we should like to know how that Council is to be constituted, and how it is going to act in regard to the Commander-in-Chief, for that is a very important thing. The Commission, presided over by the noble Lord, has suggested that there should be a Chief of the Staff. I infinitely prefer a Commander-in-Chief or a General Commanding-in-Chief. Such an officer ought not to be subservient to the Government that appoints him. What the Army want is an independent man, so independent that he will not be subservient to any particular Party. The Army feel that if the Commander-in-Chief or the Chief of the Staff is independent of the Secretary of State for War, so far as constitutionally he can be independent, their services will meet with that fair consideration which they deserve. Soldiers will feel aggrieved if the question of promotion is intrusted entirely to an Adjutant General, or any man who is not in the highest military position. These things have been pressed upon us strongly, but I will not, until we have had time to consider the statement of my right hon. Friend, go into details. The Secretary for War has been silent about the subject of ordnance. If there is one subject which deserves consideration more than another, if there is one subject in respect of which we have allowed foreign nations to get in front of us, it is the subject of ordnance. In old days we refused to begin making breechloading guns and allowed other nations to outstrip us, and now we are paying the penalty, and have not, even now, anything like the quantity of guns we require. The same may be said with regard to shot and shell; and some of our guns are so nearly the same size of bore that shot has been sent by mistake for one class of gun which was intended for another. Difficulties of the kind have, in fact, occurred very recently. Then, are we certain that we have yet got the best rifle? It would be wise to re-organise thoroughly the Ordnance Department, and the expediency of doing so ought to be gravely considered by the Cabinet, but especially by the Secretary of State for War and the First Lord of the Admiralty.

(11.35.) COLONEL BLUNDELL (Lancashire, S.W., Ince): I believe the arguments against putting the Army and Navy administration under a Ministry of Defence or a single Department are perfectly sound. I think the financing of each Service requires the full attention of a Cabinet Minister. As to the constitution of a Council under the Presidency of the Prime Minister I am glad to hear that my right hon. Friend proposes that course, and I certainly agree with the view that it is most undesirable that there should be a member of that Council who is not under a sense of

responsibility. I think the club utterances of men competent to form an opinion, but who are imperfectly informed of facts and have no sense of responsibility is one of the great difficulties of the present day. With regard to the protection of our military ports, I agree with the view held in the Navy that the military should be responsible. They should—assisted by torpedoes and by floating batteries, which might be fashioned out of old line of-battle ships, and strengthened for the purpose, our fleet proper being kept free to act abroad. The internal administration of the War Office is a matter of far-reaching importance. It is not a mere question of the best arrangement for the organisation of a Government Department; it involves the entire relation of the military to the civil power in this country. The object of the country in establishing and maintaining the present *quasi*-dual system has been that the military power should never be the rival of the civil power, and that the Army should be kept free of politics. And whatever shortcomings may be urged against our military system, it must be admitted that this object has hitherto been successfully achieved. We have no Boulangism as in France, we have no meddling in political demonstrations by military students, we have no "pronunciamentos," as in Spain. Our military system has also been successful in maintaining a uniform system of discipline; and I fear that if there is not a general commanding-in-chief, a military head to the Army to enforce that advantage, the system of discipline will soon be found to vary under every command. I hold, therefore, that the office of general commanding-in-chief should be retained. Officers at the head of Departments at the Horse Guards are too much absorbed in matters of routine to give sufficient attention to, and to keep up with, military progress and invention abroad, and a military officer as chief of the Staff is also most necessary. Mechanical invention has made wonderful progress in recent years, and woe to that country that does not keep abreast of that progress. Mechanical invention as applied to war had little existence through the campaigns of Frederick the Great and the First Napoleon, it had some effect on the Crimean War, and in the years since has made rapid progress. For instance, in 1866, the Austro-Hungarian Army entered on a campaign with muzzle loaders against breech loaders, with a result that might have led to the collapse of the Empire, and no generalship or courage could avert it. A complete change in armament was necessary, and even a change of uniform. In 1870 the Prussian Guard attacked at St. Privat in a formation for infantry, which had been condemned by Von Moltke in 1865, and lost in a very short time nearly 8,000 men, almost as many men as the British used at Inkerman. It is most necessary, therefore, that there should be a Department which is not entirely absorbed by routine and personal questions, but which will have time and opportunity to study these matters. I am very glad to hear from the Secretary of State that it is proposed to have a Board of Promotion, for this is a question of much importance to the efficiency and welfare of the Army with the reduced list of Generals. It will, I think, be found desirable, also, to re-organise the Ordnance Department with a view to the complete and efficient arming of both the Army and the Navy; but I believe that if the office of general commanding-in-chief is abolished, and the Secretary of State made the head of the Army, the Army will not be kept free of politics, while the only excuse for a civilian being War Minister will cease. This is a grave question, which should be very carefully considered by those who propose to abolish the office. I am very glad to see it is proposed to increase the position, the consultative position, of the First Naval Lord of the Admiralty. In the next naval war we may have the misfortune to be engaged in, it will be found that squadrons on the Baltic, Mediterranean, and Channel, and even the American stations, will be within supporting distance of each other, and may have to act in combined operations, they will be in telegraphic communication through the Admiralty, and practically the First Naval Lord will control movements over this vast area.

(11.50.) ADMIRAL MAYNE (Pembroke): I beg to move that you do now report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—*(Admiral Mayne.)*

*MR. E. STANHOPE: As there are evidently several Members who desire to speak on this important question the Government will offer no opposition to that Motion.

MR. CAMPBELL-BANNERMAN (Stirling, &c.): When will the consideration of the Vote be resumed?

*MR. E. STANHOPE: I am afraid I cannot answer that with certainty. Perhaps the right hon. Gentleman will repeat the question to the leader of the House, who will be here in a moment.

MR. CONYBEARE (Cornwall, Camborne): The right hon. Gentleman says there are obviously many Members who desire to speak, and this is such an unusual reason that it should be noticed. I am glad to find the right hon. Gentleman say on that account he will offer no opposition to the Motion to report Progress. I only wish the Government would occasionally extend the same consideration to Motions of the same kind from this side of the House.

*MR. E. STANHOPE: When there is any genuine desire for Debate the Government are always ready to meet it. When such Motions are made for obstructive purposes, they feel it their duty to oppose them.

MR. CONYBEARE: I challenge the right hon. Gentleman to give an instance of such obstruction on this side. [*Cries of* "Order!"]

*DR. FARQUHARSON (Aberdeenshire, W.): Suppose the Debate upon Vote 10 should conclude to-morrow evening, will the right hon. Gentleman then go on with Vote 2?

*MR. E. STANHOPE: After this Vote it is proposed that my noble Friend (Lord G. Hamilton) shall submit the Naval Vote, which has relation to the same subject, and which it is desirable to take next. After that we shall proceed with Vote 2 in the Army Votes.

*DR. FARQUHARSON: I trust the right hon. Gentleman will give notice of the intention and allow adequate time for a discussion upon that Vote, in which much interest is felt.

*MR. E. STANHOPE: I am quite ready to say it will not be taken without reasonable notice.

*SIR JOHN COLOMB (Tower Hamlets, Bow, &c.): I would ask the Secretary for War whether he means that the determination of the Government with regard to the formation of the Council of Defence is that it shall consist of a Committee of the Cabinet composed of the Prime Minister, the First Lord of the Admiralty, the Secretary of State for War, the Secretary of State for India, and the Secretary of State for the Colonies?

*MR. E. STANHOPE: I think my hon. Friend will see it would be exceedingly inconvenient to attempt to answer that question on a Motion to report Progress. If the hon. Gentleman will raise that question in Debate I will endeavour to answer him fully.

MR. A. O'CONNOR (Donegal, E.): This is a question of first-class magnitude, but it is unfortunately distributed over two different Votes. If it is also to be discussed at the fag-end of different sittings and at uncertain intervals that will be in no way satisfactory. I therefore ask the First Lord of the Treasury whether, when again before the Committee, the Vote will be taken at such an hour as to enable the Committee to have something like an exhaustive discussion on the whole matter?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The Government are exceedingly anxious that ample opportunity should be afforded for the discussion of this important question. We had hoped that sufficient time would have been obtained to-night; but, as the hon. Gentleman is aware, we are not responsible for the interruption which has prevented the full discussion of the Vote. The Vote will be put down for to-morrow in the hope that it may be reached at a reasonable hour. If it is not reached at a reasonable hour, other Votes will be proceeded with.

It being Midnight the Chairman left the Chair to make his Report to the House.

Resolution to be reported to-morrow.

Committee also report Progress; to sit again to-morrow.

PHARMACY ACT (IRELAND) (1875) AMENDMENT BILL.—(No. 241.)

Bill read the third time, and passed.

PAUPER LUNATIC ASYLUM (IRELAND) (OFFICERS SUPERANNUATION) BILL.—(No. 358.)

[ADJOURNED DEBATE].

Order read for resuming Adjourned Debate on Amendment proposed to Question [2nd July], on Consideration of the Bill, as amended.

And which Amendment was, in page 1, lines 11 and 12, to leave out the words "whose whole time has been devoted to the service of such asylum."—(*Mr. Crilly.*)

Question, "That the words proposed to be left out stand part of the Bill," put, and agreed to.

Bill to be read the third time upon Thursday, 17th July.

METROPOLIS MANAGEMENT AND BUILDING ACTS (AMENDMENT) (RECOMMITTED) BILL.—(No. 356.)

Bill considered in Committee, and reported, without Amendment; to be read the third time upon Monday next.

OPEN SPACES BILL [LORDS.]—(No. 303.)

Bill considered in Committee, and reported, without Amendment; read the third time, and passed.

CHARITABLE TRUSTS BILL.—(No. 8.)

Order for Committee read, and discharged.

Bill withdrawn.

POOR LAW (IRELAND) RATING (RECOMMITTED) BILL.—(No. 350.)

Bill considered in Committee, and reported; as amended, to be considered to-morrow.

FISHERIES IRELAND BILL—(No. 43.)

Order for Second Reading read.

(12.13.) MR. MACARTNEY (Antrim, S.): May I ask if it is the intention of hon. Members opposite to have this Bill printed this Session or not? If not should not the Order be discharged?

MR. SEXTON: I will put the matter before the hon. Member in charge of the Bill.

Second Reading deferred till to-morrow.

MARKETS AND FAIRS (IRELAND, BILL. (No. 38.)

Order for Second Reading read.

MR. SEXTON: This day, Sir.

MR. MACARTNEY: Is it in order, Mr. Speaker, for an hon. Member whose name is not on the back of a Bill to say to what day it shall be deferred?

MR. SEXTON: In the absence of a Member whose name is on the back of a Bill I presume it is in order for any hon. Member to move.

MR. MACARTNEY: One of the hon. Members whose names are on the back of the Bill is in the House.

*MR. SPEAKER: Perhaps that hon. Member will name the day to which the Bill is to be deferred.

MR. T. D. SULLIVAN (Dublin, College Green): This day, Sir.

Second Reading deferred till to-morrow.

ALDERSHOT ROADS BILL.

Ordered, That the parties appearing before the Select Committee on Aldershot Roads Bill have leave to print the Minutes of the Evidence taken before the Committee day by day from the Committee Clerk's Copy if they think fit.—(*Mr. Brodrick.*)

House adjourned at a quarter after Twelve o'clock.

HOUSE OF LORDS,

Friday, 4th July, 1890.

COMMISSION.

The following Bills received the Royal Assent :—

Suck River Drainage (Provision of Funds).

Herring Fishery (Scotland) Act (1889) Amendment.

Municipal Elections (Scotland).

Contagious Diseases (Animals) (Pleuro-pneumonia).

Electric Lighting Acts Amendment (Scotland).

Anglesey Assizes and Quarter Sessions.

Kew and Petersham Vicarage.

And a number of Private Bills.

OPEN SPACES BILL.—(No. 76.)

Returned from the Commons agreed to.

PHARMACY ACT (IRELAND) (1875) AMENDMENT BILL.

Brought from the Commons; read 1ª, and to be printed. (No. 172.)

FOREIGN JURISDICTION (CONSOLIDATION) BILL.—(No. 109.)

Read 3ª (according to order), and passed, and sent to the Commons.

PARTNERSHIP BILL.—(No. 153.)

House in Committee (on Re-commitment) (according to order); Bill reported without further amendment; and to be read 3ª on Monday next.

ALLOTMENTS ACT (1887) AMENDMENT BILL.—(No. 151.)

SECOND READING.

Order of the Day for the Second Reading, read.

THE PAYMASTER GENERAL (The Earl of JERSEY): My Lords, this is a measure to render the Allotments Act of 1887 more efficacious. It will be unnecessary for me to recount to your Lordships the provisions of the Act of 1887 or to dwell upon the advantages of allotments. I think it is generally accepted now as an axiom that, for the labouring rural population, good allotments, at fair rents, within a reasonable distance, are necessary for every village. In this House there are many of your Lordships who have led the way in the matter of allotments long before there was any question of Acts of Parliament in the matter. By the 2nd clause of the Act of 1887 the duty was thrown upon the Sanitary Authority of acquiring land for allotments on certain conditions; but in that Act there was no appeal against the decision of the Sanitary Authority; and if the Sanitary Authority decided to reject an application on the part of the labourers for allotments, there the matter ended. This measure is to make good that omission. Within recent years no doubt the desire for allotments has very widely spread, and there has been fortunately a corresponding readiness on the part of landowners and others to meet that wish; but all rules have exceptions, and there have been some Sanitary Authorities who have acted in a dilatory and unsatisfactory manner. In a county adjoining the one in which I live, there was a case which called forth a great deal of attention during the winter—the case of Twyford. In that village the labourers made a very reasonable request for allotments, but their request was treated in a very off-hand manner by the Sanitary Authority in the first place, and afterwards by the owner of the land, the Rector of Lincoln College, Oxford. Through the inaction of the one and the action of the other, those labourers have been entirely left out in the cold, and a sense of injustice has arisen which has spread far beyond the limits of that village. It is not possible for any Act of Parliament to remove every grievance or to make everybody wise and prudent; but it is possible for Parliament to lay down general principles for the protection and guidance of people; and if any admitted evil is found out, to remedy it as soon as possible. The present Bill will enable any six qualified persons to appeal to the County Council in cases where the Sanitary Authority has refused to put into force the provisions of the Act of 1887. The County Council are by the provisions of this Bill to appoint annually a Committee, not ex-

ceeding one-fourth of the whole number of the Council as an Allotment Committee, to deal with these appeals, and, in order to prevent delay every appeal will be, as a matter of course and without any Order of the Council, referred to the Standing Committee. It is also provided that the elected representative of any village which may happen to appeal to the County Council will be added for that occasion to the Standing Committee. If that Committee is satisfied of the *bona fides* of the appeal, they will cause a local inquiry to be made. They can make that local inquiry either through one or more of their members, or by any officer they may appoint for that purpose. After that local inquiry has been made the Report will then be referred to the County Council, and the Council, on being satisfied that the land for allotments should be acquired, will have to pass a resolution to that effect, and thereupon all the powers and the duties of the Sanitary Authority will, *ipso facto*, be transferred to the County Council. The Bill contains provisions necessary to enable the County Council to carry out the duties of the Sanitary Authority to borrow money and to repay it, and to make Provisional Orders for the compulsory purchase of land, but every Provisional Order will have to be submitted to Parliament. In any case where the County Council has acquired land under this Act, it can afterwards, if it is so minded, re-transfer their powers back to the Sanitary Authority. The Bill also provides, by the 5th clause, that schoolrooms may be used for meetings to be held under this or the principal Act. The Bill thus gives an appeal in cases, where the Sanitary Authority neglects its duty, to a popularly elected body, and will enable the County Council to put the provisions of the Act of 1887 into force without delay. I certainly hope these provisions will not often require to be put into force, because I believe that voluntary arrangements are more rapid and less expensive than any others; but I am quite sure that if these powers are given to the County Council, they will use them with due consideration. Public opinion on this subject has ripened considerably during the last few years. Those who live in the country know how greatly allotments are prized by the labourers. We know the energy and skill they bring to their work, while we also know that the labourers only ask for fair terms. In such circumstances the landowners may well desire to meet the labourers' natural wishes. This measure, without claiming to be a great one, is brought forward by the Government with the intention of securing for all our agricultural population the advantages held out by the Act of 1887; and I feel confident that this House, comprising as it does many great landowners, will be only too ready to help forward this object. The lives of our agricultural labourers are not very much relieved by the excitement which is so attractive to dwellers in towns; but if, in substitution for those exciting pleasures, Parliament can create a sense of justice and contentment, their lot will be none the less happy, and their attachment to the soil, so important for many reasons, will gain fresh strength, and it will spring from sources injurious to none whilst beneficial and gratifying to themselves. I beg to move the Second Reading of the Bill.

Moved, "That the Bill be now read 2ª."—(*The Earl of Jersey.*)

THE EARL OF KIMBERLEY: My Lords, I should be sorry that this Bill should pass without further remark, because, although it is a Bill which is very small indeed in itself, it relates to a subject of very considerable interest. I have not, as I need hardly say, the slightest objection to the Bill, which I think provides for what is much wanted. The only small criticism I shall make upon it is that I do not quite see why it is necessary by a Statute to compel the County Councils to appoint a Committee of certain particular members. I think that might have been left to the County Councils. However, that is a very minute and unimportant point. What I wish to remark upon is, that the noble Earl who moved the Bill spoke of it as securing to the labourer all the benefit of the Allotments Acts. I am afraid that is taking far too high a view of such a Bill as this. It will do something, no doubt, to remedy the difficulties; but the difficulties are far larger and wider than any which this Bill deals with at all. The point of difficulty, of course, is the compulsory taking of land. I am

far from desiring that the Sanitary Authorities should have to act at all in the matter; I think it is far more desirable that landowners should themselves supply the allotments and save the Sanitary Authorities from the necessity of interfering. One of my reasons for wishing that is—and I do not think that those who may not be very well acquainted with agricultural affairs give nearly enough consideration to that question—that a landlord, if disposed to let his land for this purpose, can do so considerably cheaper than it is possible for the Sanitary Authorities to carry out the matter. If you are to have Statutes, in whatever way you frame them, there must be expenses connected with their enforcement. All those expenses have to be defrayed out of the land, and, small as they may seem to be, I have known several cases where the expenses incurred by the Sanitary Authority, and not at all improperly incurred by them, have been such, when charged upon the land, as to make it impossible, in the opinion of the labourers, for them to hire it at the rent asked. These are very poor persons, and what may seem to us to be very small sums are really to them very considerable sums indeed. There is also this difficulty: That you are obliged under the present law—as I am told by those who put the Act into operation—to levy the whole of the expenses incurred upon the rent to be paid during the first year. These rents have, by the Acts, to be paid only from year to year, and the whole of the expenses incurred—and there are, I believe, some red-tape expenses which are perfectly unnecessary, in reference to maps and so on, imposed by the Local Government Board—have to be put on the rent of the first year. It is very obvious that a labourer may, in that event, find the rent considerably more than he is willing to pay. My opinion is, that the law should be altered in that respect, and that the Local Authority should have power to extend the expenses over several years, because it is not reasonable to suppose that one man should pay in one year the whole of the expenses connected with the allotment of the land. With regard to the compulsory powers, I think the machinery is too extensive. First, you have to go through the process of applying to the County Council; then the County Council passes a Provisional Order; then that Provisional Order goes to the Local Government Board; and then it has to come before Parliament. And all this may be with regard to three or four acres of land, which is let, perhaps, at 30s. an acre. I cannot help thinking that if we really intend to place these allotments within reach of a large number of labourers, we must give the County Council, in cases where the amount of land to be taken is not large, a final power of disposing of the whole matter. If you did that the expense would be small, the thing would be speedily disposed of, and I believe the labourers would be enabled to get their allotments. It seems to me that the compulsory power is not too large to be reposed in the County Council, but, of course, I would not allow them to dispose of the matter if the value of the land exceeded a certain sum to be fixed by Parliament. If it did, then it should go through another process. What I think is that if you intend really to place within the power of the labourers the boon which Parliament desires them to have, you must provide a cheap and easy mode of getting the land. The matter may seem to some of us not of great importance; but my point is that in many parts of the country it is of great importance to the agricultural labourers, who take great interest in the subject. Their position in some of the agricultural counties is not very happy, and their lot is not a bright one; their wages are very low, and there is not much chance for them to rise out of the position in which they find themselves; and I am glad to see that they are willing to take, and have taken, advantage of the Allotments Act. I am certain that it is to the interest not merely of the labourers themselves but of all landowners, because I believe that anything which attaches the labourer more to the place in which he lives and makes him willing to remain there is beneficial, and that you thereby strengthen altogether the whole framework of society in that part of the country. For those reasons, while I quite welcome this Bill as doing something that was needed, I sincerely trust that ere long Parliament will find time and a way of dealing more extensively with this subject and giving larger

facilities than exist at present for acquiring allotments.

EARL BEAUCHAMP: I only rise to appeal to Her Majesty's Government whether it would not be better to let us deal with this Bill in Committee of the whole House, than that it should be sent to one of the Standing Committees. It is not a question of drafting or of any mere technicalities, but an important question affecting the agricultural interest; and I do therefore sincerely trust that the matter will come for discussion before a Committee of the whole House rather than be referred to a Standing Committee.

*THE EARL OF JERSEY: I may say that it was my intention to refer it to a Committee of the whole House.

On Question, agreed to.

Bill read 2ª (according to order), and committed to a Committee of the whole House on Thursday next.

HELIGOLAND.

QUESTION—OBSERVATIONS.

EARL DE LA WARR, in rising to ask Her Majesty's Government whether it is proposed in the arrangement for the cession of Heligoland to Germany to make the inhabitants in all respects subject to German laws; and whether the contemplated exemption from military conscription will apply only to persons now living, said: I should not have troubled your Lordships on this occasion had it not been for the very, I must say, vague and indefinite information which has been given by Her Majesty's Government relative to the proposed cession of Heligoland to Germany. I do not wish to enter upon the subject of the limits of secrecy claimed by the Foreign Office with regard to negotiations on Foreign Affairs—it is, no doubt, a very difficult one—but when the noble Marquess at the head of Foreign Affairs recently stated in this House that

> "It is a rule that has always been observed at the Foreign Office that discussions should not take place until negotiations of this kind are concluded,"

I can hardly suppose that he intended to include in this the giving of such information as it might be convenient to give, as well as the liberty of discussion. That may be another question, but there may be information which could be given perhaps without injury to the Public Service. I am asking only for information. It must be remembered that in the matter now under consideration—I mean the cession of Heligoland to Germany—it is a question of transferring to another European Power a dependency of this country, the population of which for a length of time has enjoyed the rights and privileges of British subjects. Now, it is hardly possible to suppose that in the cession of a country in which British subjects are living, especially when that cession is made to a country like Germany, whose principles of Government differ so materially from those of this country, the population can retain these or similar rights and privileges. Yet I see it was recently stated, as reported, by the First Lord of the Treasury in another place—

> "That the utmost care had been taken in the Agreement with Germany to secure for the inhabitants the continuance of the privileges they had hitherto enjoyed."

If this be so, my objections to the cession of Heligoland would be materially lessened. But, on the other hand, as I understand from the recent Despatch of the noble Marquess, Her Majesty's Government propose to stipulate that persons only now living should be free from naval and military conscription, and, consequently, that future generations should be subject to that oppressive law. I can hardly reconcile these conflicting statements, or conceive how it can be said that the continuance of the privileges which they have hitherto enjoyed has been secured for the inhabitants, if the immunities of those who are now British subjects are not to be continued to their children and those that come after them. Unless very clear and definite terms are imposed, it cannot, I think, be doubted that if Heligoland is annexed to Germany, without definite stipulations as to the rights and privileges as British subjects which are to be secured to the inhabitants, burdens will be imposed upon them which to them have been hitherto unknown; and you will be giving over a free and contented population who have hitherto enjoyed the rights of British subjects to become subjects of a country

burdened with taxation and oppressed by naval and military conscription.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): In answer to a letter which my noble Friend addressed to me I informed him that we had laid the Agreement, which was signed on Tuesday night, on the Table of your Lordships' House. I ventured to submit that I thought perhaps it would be better to defer all questions as to the nature of the Agreement until the Instrument is in the hands of the House. I still think that, on the whole, that would be the more convenient arrangement. I will only say, with regard to what has fallen from my noble Friend, that if Heligoland becomes German soil those who inhabit it will be subject to German laws, but that we have made a special exception in favour of all persons now living, that they shall not be subject to that which British subjects are not subject to, namely, conscription for the Military and Naval Services. I will take this opportunity of saying that I shall ask the House to-night to read the Bill for the cession of Heligoland a first time, and on Thursday next I shall move the Second Reading of the Bill.

WORKING CLASSES DWELLINGS BILL. (No. 107.)

House in Committee (on Re-commitment) (according to order); Bill reported without amendment; and to be read 3ª on Monday next.

CITY OF PARIS.

Copy of the Report of the inquiry into the causes of the accident which recently happened to the passenger ship *City of Paris*.

Ordered to be laid before the House.—(*The Earl De La Warr.*)

DEEDS OF ARRANGEMENT BILL. (No. 106.)

Read 3ª (according to order) with the amendment, and passed, and returned to the Commons.

REGISTRATION OF VOTERS (BOROUGH OF BELFAST) BILL.—(No. 91.)

Read 3ª (according to order) with the amendment; a further amendment made; Bill passed, and returned to the Commons.

ANGLO-GERMAN AGREEMENT CONFIRMATION BILL.

A Bill for the purpose of removing doubts with respect to the validity of an agreement between Her Majesty and the Emperor of Germany—Was presented by the Marquess of Salisbury; read 1ª; to be printed: and to be read 2ª on Thursday next. (No. 180.)

House adjourned at five minutes past Five o'clock, to Monday next, a quarter past Four o'clock.

HOUSE OF COMMONS,

Friday, 4th July, 1890.

TRAMWAYS (STREET AND ROAD).

Return ordered—

"Of Street and Road Tramways authorised by Parliament showing the amount of Capital authorised, paid up, and expended, the length of Tramway authorised, and the length open for the public conveyance of Passengers down to the 30th day of June, 1890, the gross receipts, working expenditure, and net receipts, the number of passengers conveyed, and the number of miles run by cars, during the year ended the 30th day of June 1890, together with the number of horses, engines, and cars, at that date (in continuation of Parliamentary Paper No. 238, Session 1889)."—(*Sir Michael Hicks Beach.*)

Return presented accordingly; to lie upon the Table, and to be printed. [No. 282.]

NEW WRIT.

For Durham County (Mid Division) *v.* William Crawford, esquire, deceased.

QUESTIONS.

INDIA—EXPORTATION OF BEER FOR THE ARMY.

MR. CORNWALLIS WEST (Denbigh, W.): I beg to ask the Secretary of State for War what steps are taken to ensure the beer exported to India for the use of the troops being of good quality; whether he is aware that complaints are general in that country as to its acidity and intoxicating power; and whether a lighter beer could be supplied?

SIR J. KINLOCH (Perth, E.): I beg to ask the Under Secretary of State for India whether the Government of India

contract for a certain amount of beer to be exported to India each month, which the troops are obliged to consume before beer purchased locally can be supplied; and whether, inasmuch as the beer purchased locally is good, sound, light beer of a non-intoxicating quality, he will take steps to alter the present system of contracting?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): My right hon. Friend the Secretary for War has asked me to reply to the question of the hon. Member for Denbigh (Mr. Cornwallis West), and I will reply at the same time to the question of the hon. Member for Perth (Sir J. Kinloch). Beer cannot be advantageously supplied locally at all stations in India, and it is, therefore, exported from this country for these stations. It is brewed according to specification, and under the supervision of Government officers. Complaints are not frequent or general, but acidity may occasionally arise from the effects of storage in India. The exported beer is lighter than the local beer, and is as light as would be safe for shipment in casks.

BRIDGE OF EARN LEVEL CROSSING.

SIR J. KINLOCH: I beg to ask the President of the Board of Trade if he can say under what conditions the level crossing near the bridge of Earn, on the public road to Forgandenny is now worked; and if it is the case that this crossing was condemned as dangerous by Major Marindin, and that the North British Railway Company promised to erect a bridge?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The railway upon which this level crossing exists was authorised in 1846, and the Act gives no power to the Board of Trade to order the abolition of the level crossing. In June of last year the District Road Trustees represented to the Board of Trade the need of a bridge and a deviation of the road. Major Marindin, after inquiry, reported that the road should be extended as proposed, and a footbridge be put up at the existing level crossing, or that an overbridge be constructed in lieu of the level crossing—to which he saw no objection from an engineering point of view. He thought the latter the best alternative and suggested that the Trustees should subscribe one-fifth of the cost. The Directors have expressed their willingness to carry out the latter recommendation on the terms suggested.

TREATMENT OF SCHOOL CHILDREN.

MR. HALLEY STEWART (Lincolnshire, Spalding): I beg to ask the Vice President of the Committee of Council on Education whether he has received from Mr. William Curtis, of New Somerby, Grantham, Lincolnshire, a complaint to the following effect: that Miss Earl, the mistress of St. Anne's Denominational School, severely caned his daughter Mabel Curtis, a scholar in the Fourth Standard, aged 10 years, so as to leave the child's hand in a bruised and swollen state, because she failed to do certain sums; that the child, in consequence of the beating, returned home, and was denied re-admittance without an apology from the father, who was then summoned before the School Attendance Committee of the Town Council for the non-attendance of his daughter at school; that the School Attendance Committee ordered Mr. Curtis to send his daughter to school; that she presented herself at the school again and again, with her school fees in hand, and was refused and is still refused admission; and whether he will take any action in the matter?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): I have received the complaint in question, and the managers have been requested to re-admit the child unconditionally, or the grant may be seriously imperilled.

34 EDWARD III.

MR. SUMMERS (Huddersfield): I beg to ask the Secretary of State for the Home Department whether he will procure from the Rolls Office, and lay upon the Table of the House, a Copy of the Statute 34 Edward III., cap. 1, as it appears upon the original Great Statute Roll?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I have obtained from the Rolls House a copy examined with the original Statute Roll and duly certified, which I shall be happy to lay on the Table of the House.

TAX ON ENGLISH NEWSPAPERS TO AUSTRIA.

MR. HENNIKER HEATON (Canterbury): I beg to ask the Postmaster General whether he is aware that there is a tax, in addition to the postage, on all English newspapers arriving in Austria, for instance, at Carlsbad and Merlan; whether such a tax is in contravention of the Postal Union Regulations; and whether he will make representations to have this tax removed, on the ground that no such tax is imposed on Austrian papers arriving in England?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): I explained this matter to the House in reply to a question asked by the hon. Member on June 7, 1888. The financial impost levied by the Austrian Government on foreign newspapers entering the Empire is not a postal charge, and is not levied under Postal Union Regulations, which, as I pointed out in 1888, do not affect the general taxation of the countries belonging to the Union.

CONTAGIOUS DISEASES (ANIMALS) ACT.

MR. BARCLAY (Forfarshire): I beg to ask the President of the Board of Agriculture when the Report of the Agricultural Department under the Contagious Diseases (Animals) Act for 1889, will be issued?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): A complete revise of the Report has been received from the printers. It will be in the Press in a few days, and I expect it to be issued very shortly.

ADMIRALTY WRITERS.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the First Lord of the Admiralty if writers in the Admiralty serving in the Volunteer Force who went out with their regiments on the Saturday before Easter had the day deducted from their annual leave of 12 days, while in the War Office, Stationery Office, Customs, &c., it was not so reckoned, in consideration of the public nature of its employment; and whether the same indulgence can be extended to the Admiralty?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): According to the regulations governing the employment of copyists in all the Public Departments, no leave beyond the 12 days allowed annually can be granted to these clerks without deduction of pay, except when the Department is wholly closed, as on public holidays. The War Office was closed on the Saturday before Easter, and consequently the writers in this Department, whether volunteers or not, obtained a holiday on that day in common with the rest of the staff. I am aware of no instance of a departure from the general rule I have described, and I have no power to modify it even in favour of an object of which I fully approve.

ALLEGED DEATH FROM STARVATION.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the President of the Local Government Board as to the death by starvation of Elizabeth Barret, and the verdict before Coroner Baxter, at the Vestry Hall, Mile End, E., a week ago, if his attention has been called to the circumstance; and if will advise the relaxation of the rule as to outdoor relief?

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I am at present engaged in making inquiry.

SCIENCE AND ART DEPARTMENT, SOUTH KENSINGTON.

MR. CUNINGHAME GRAHAM: I beg to ask the Vice President of the Council whether certain of the writers, who have seen considerable service, recently employed in the Science and Art Department, South Kensington, have been dismissed; whether there are still employed in that Department a certain number of men who are obtained through the agency of Messrs. Waterlow, to whom the Government pay 1s. per hour, out of which the men receive but 9d. per hour; and if he can explain why persons employed under the sweating system are retained in the Public Service in preference to those of prolonged official experience and tried capacity?

*SIR W. HART DYKE: Seven copyists engaged in April last were discharged from the Stores Division on June 27,

when the special work for which they were taken on was finished; two others were dispensed with from the Science Division on June 16 and 18, but these found immediate employment from Civil Service Commission. Ten clerks from Messrs. Waterlow are at present employed by the Department in the Art Division, but these will be discharged about July 20. As they have become acquainted with the special work on which they were employed, it would have been inexpedient to have replaced them by those copyists discharged from the Stores on June 27. Messrs. Waterlow's men are employed solely because the Civil Service Commissioners were unable to furnish sufficient copyists, to meet the needs of the Department during the pressure of work connected with the annual examination. Messrs. Waterlow's clerks are dispensed with immediately the Civil Service Commissioners notify that registered copyists are available. The Department paid Messrs. Waterlow at the regular rate for law stationers' clerks, and has no control whatever over the amount which the clerks receive from Messrs. Waterlow.

UNESTABLISHED AND AUXILIARY POSTMEN.

MR. CUNINGHAME GRAHAM: I beg to ask the Postmaster General why the details as to the number, wages, &c., of unestablished and auxiliary postmen in the country, given in the Estimates, are not also given as to those employed in London; and whether such information could be supplied in future? I also wish to ask whether the right hon. Gentleman can give particulars of the number, payment, hours of labour, and length of service of the unestablished and auxiliary postal *employés* in London?

*MR. RAIKES: The information with regard to wages is given at page 68 of the Estimates for 1890-91. The numbers cannot be stated in advance on account of the fluctuations necessary to meet the requirements of the Service. I shall be happy to add the information asked for by the hon. Member with respect to the men employed at present to the Return which is now being prepared for Parliament, relative to the terms of employment for postmen in London and certain other large towns.

Sir W. Hart Dyke

ARMENIA.

MR. SCHWANN (Manchester, N.): I beg to ask the Under Secretary of State for Foreign Affairs whether he has any information which corroborates the report in the *Daily News* of 3rd July, that Russian troops are moving towards the Armenian frontier to make a demonstration to compel the payment of the war indemnity; whether his attention has been called to various expressions of opinion (reported in the *Daily News* of the 3rd instant), in newspapers and otherwise, of a strong desire by the Russians to intervene in Armenia, in order to expel the Kurds, and put an end to their oppression of the Armenians; and whether Her Majesty's Government will bring pressure to bear on the Porte to introduce radical reforms into Armenia, if it be not too late?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): We have received no corroboration of the statements in the first two paragraphs. With regard to the third, Her Majesty's Ambassador has lost no opportunity of counselling the Ministers of the Sultan to take effective measures for the security of life and property in Asiatic Turkey; and it cannot be denied that the Porte has shown a desire to do so by the appointment of Governors of high character, who are exerting themselves to check disorders and to punish the unruly.

MR. CONYBEARE (Cornwall, Camborne): As the Sultan is usually in the habit of disregarding the friendly advice of Her Majesty's Government, will the Government in this case stick to their guns or run away from them?

[No answer was given.]

SENTENCE AT THE CLERKENWELL SESSIONS.

MR. BRUNNER (Cheshire, Northwich): I beg to ask the Secretary of State for the Home Department with reference to the case of a man named Jones, who was sentenced by Mr. Warry, Q.C., at the Clerkenwell Sessions, to 10 years' penal servitude, how many years' imprisonment he has undergone under previous convictions, and what was the amount of money or the value of the

articles the stealing of which led to such convictions in each case?

MR. MATTHEWS: Since 1869 this man has served two sentences of eight years' penal servitude, and two sentences of imprisonment of six months' and 18 months' respectively. The sentences of penal servitude were for stealing a purse and certain moneys (the actual amount is not specified in the calendar), and for stealing a watch of the value of £4. The other sentences were for stealing watches, one of them being of the value of £2. I may add that previous to 1869 this man had been six times convicted as a rogue and vagabond, and once as an incorrigible rogue.

*MR. BRUNNER: Will the right hon. Gentleman inquire whether this man is slowly becoming more and more fit to take his place among honest and industrious people?

MR. MATTHEWS: I am hardly aware of the source to which I could apply.

*MR. BRUNNER: I would suggest the chaplain.

THE ANGLO-GERMAN AGREEMENT.

MR. ERNEST BECKETT (York, N.R., Whitby): I beg to ask the Under Secretary of State for Foreign Affairs whether, in accordance with the declaration made by Lord Salisbury on the 22nd May, that—

> "It was very undesirable to come to any agreement which we had not ascertained was acceptable to those whose interests were principally concerned, the trading companies, the missions, and others who have done such great work in this matter,"

the Government have taken any steps to ascertain the feeling of those "whose interests are principally concerned" as to the proposed agreement with Germany; whether remonstrances have been received from companies who have made treaties and acquired rights, with the object of effectively opening out and occupying territories now proposed to be surrendered to Germany; whether one of these companies has represented that the cession of territory to Germany north of Ngamiland would deal a serious blow to the interests of British trade in that part of Africa; and whether the Government are prepared to stand by Lord Salisbury's declaration, and so to modify the details of the Anglo-German Agreement as to make it "acceptable to those whose interests are principally concerned," provided that the persons referred to make it clear that it is not acceptable to them in its present shape?

*SIR J. FERGUSSON: Her Majesty's Government have consulted the principal companies and missions who have done a great work in this matter, and believe them to approve generally of the Anglo-German Agreement. It is impossible for Her Majesty's Government to support pretensions which are inordinate and incompatible with the fair claims of other nations, but they are not aware that any such pretensions have been advanced by the companies or missions I have already described.

SIR JOHN SWINBURNE (Staffordshire, Lichfield): I beg to ask the First Lord of the Treasury whether the Government have received any communication from the Government or Representatives of the Cape Colony to the effect that they object to that part of the proposed Anglo-German Agreement which relates to the delimitation of the German sphere of influence in Damaraland and Makolololand, on the ground that it will, if adopted, seriously interfere with British trade to the interior?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The Cape Government have made no representation to Her Majesty's Government of the kind referred to.

MR. SUMMERS: I beg to ask the Under Secretary of State for Foreign Affairs whether, in taking over Damaraland, Germany promised to respect all rights or concessions obtained before the declaration of the German Protectorate; and whether, in accordance with this promise, the concession of mineral rights made by Kamaherero to Mr. Robert Lewis has been and will be respected?

*SIR J. FERGUSSON: The German Government are prepared to recognise legally acquired concessions in Damaraland; but in the case of Mr. Lewis the validity of his principal concession is disputed by them, and the matter is still under consideration.

MR. BRYCE (Aberdeen, S.): May I ask the right hon. Gentleman if he will lay upon the Table of the House a copy of the Agreement signed at Berlin without waiting for other Papers?

*Sir J. FERGUSSON: I think I may undertake to say that the Agreement will be laid on the Table at once.

THE PENNY POSTAGE JUBILEE.

Mr. T. H. BOLTON (St. Pancras, N.): I beg to ask the Postmaster General whether the day's holiday to postmen to commemorate the Jubilee (of Penny Postage) has or has not been given to the Auxiliary Postmen in the North Western District of the Metropolis; and, if not, whether it will be given to them; and whether it is a fact that Auxiliary Postmen, many of whom have served for 20 years and upwards, have no recognised holiday; and, if so, whether he will consider the question of giving to Auxiliary Postmen a short holiday annually?

*Mr. RAIKES: In commemoration of the Jubilee of Penny Postage a holiday will be given to the Auxiliary Postmen. It is a fact that at present the Auxiliary Postmen have no recognised holiday; but the question whether they should not have one is now under consideration.

THE LONDON POLYTECHNICS.

Mr. ARTHUR ACLAND (York, W.R., Rotherham): I beg to ask the Vice President of the Committee of Council on Education whether it is true that the progress of the central scheme for the London Polytechnics has been delayed by the objections of two vestries or vestry clerks in the course of the last few days; what are the names of the parties objecting, and their grounds of objection; and whether their objections have imperilled the passing, during this Session, of this scheme, which has now been so long under consideration, and has received such cordial approval in this House?

*Sir W. HART DYKE: No fewer than 12 Petitions have been presented, praying that the scheme in question may be laid before Parliament. The ground of objection in almost every case is that due regard has not been paid to small parochial interests, and the action of the objectors has, no doubt, imperilled the passing of the scheme during the present Session.

LOCAL TAXATION BILL.

Mr. LENG (Dundee): I beg to ask the President of the Local Government Board whether, having regard to the numerous Notices of Amendment on proposals which have been withdrawn, he will, for the convenience of the House, reprint the Local Taxation (Customs and Excise) Duties Bill, omitting the dropped clauses and inserting the new clauses which the Government intend to submit for consideration?

*Mr. RITCHIE: The suggestion of the hon. Member is one which, so far as I can ascertain, is quite without precedent, and in any case the course he proposes would, in my opinion, be a very inconvenient one to adopt. The Government will take care that their Amendments to the Bill are placed on the Paper in sufficient time to enable Members to consider them before the Bill is proceeded with.

OFFICIAL RECEIVERS IN BANKRUPTCY.

Mr. W. P. SINCLAIR (Falkirk, &c.): I beg to ask the President of the Board of Trade whether he is aware that Official Receivers in Bankruptcy frequently act as Trustees in cases other than those provided by law when he may or shall so act, and contrary to Sub-section 5, Section 21, of the Bankruptcy Act of 1883, which provides that—

"The Official Receiver shall not, save as in this Act provided, be the Trustee of the bankrupt's property;"

and whether he can explain how this custom has arisen without being interfered with by the Board of Trade, and if he will take steps to put an end to the practice?

*Sir M. HICKS BEACH: No, Sir; there is no practice of the kind suggested. There are a few cases in which, under the provisions of Sub-section 1 of Section 54 of the Bankruptcy Act, Official Receivers have acted as Trustees when no summary order was obtained. Of the cases closed last year, only 14 in the High Court, and 19 in the County Courts were cases in which the assets realised more than £300. In all of them, I believe, the creditors either failed to meet or met and passed a unanimous resolution that no Trustee be appointed, and, so far as I am aware, no complaint has ever been received in the Bankruptcy Department from any creditor in London or the country on this head.

THE NEWFOUNDLAND FISHERIES.

CAPTAIN VERNEY (Bucks, N.): I beg to ask the Under Secretary of State for Foreign Affairs whether Her Majesty's Government recognise any Treaty rights with the French to catch lobsters on the coasts of Newfoundland, or to establish lobster factories on any part of the shores?

*SIR J. FERGUSSON: The answer is that Her Majesty's Government do not recognise such a right. Their view is stated at length in Lord Salisbury's Note to M. Waddington, of March 28, 1889, page 231 of the Blue Book.

POOR TENANTS IN ST. LUKE'S.

MR. J. ROWLANDS (Finsbury, E.): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the fact that a large number of poor tenants in the neighbourhood of Golden Lane, St. Luke's, are being turned out of their houses, the landlord having given the tenants notice to quit, but the tenants not being able to get other places by the time of the expiration of the notice, the landlord has commenced taking the roofs off, thus causing great suffering from the storms of the past few days; and whether he has any power to take action to prevent the landlord clearing his property in this manner?

MR. MATTHEWS: My attention has only been drawn to this matter by the question of the hon. Member, and I have not as yet been able to obtain a Report on the subject. I have no power to prevent the landlord from exercising his legal rights; and I have not sufficient information to enable me to judge whether there has been any want of humanity in the manner of enforcing them.

MR. J. ROWLANDS: Is it possible to get a Report of the case, as steps are being taken to interview the owner of the property in order to induce him to give these poor people time? I am told that the Magistrates have no power.

MR. MATTHEWS: I have applied to the Commissioner of the Police for information, but have not yet received it.

MR. SEXTON: Is the Home Secretary advised that it is legal to take off the roofs of houses while still occupied, and before the eviction has taken place?

MR. MATTHEWS: I can hardly answer that question, as I understand the terms of the notice to the tenants have expired, so that they have no longer any interest in the premises. I do not allege that myself; I have no knowledge on the subject.

MR. SEXTON: The question is, can this landlord by law be allowed to endanger human life and health by taking off the roofs of houses. Must not the process of law be completed by eviction before the houses can be dismantled?

MR. MATTHEWS: I must ask for notice of that question.

MR. J. ROWLANDS: I will put a question on the Paper for Monday.

FLASHING SIGNALS—ADMIRAL COLOMB'S INVENTION.

ADMIRAL FIELD (Sussex, Eastbourne): I beg to ask the First Lord of the Admiralty whether it is true that the Treasury have consented to grant the sum of £2,000 only to Admiral Colomb, as a reward for his labours in adapting the system of flashing lights as a means of conveying signals in manœuvring Fleets at night; whether he is aware that the Admiralty in 1858 awarded Mr. Redl, an Austrian, £1,500 for his proposed system of cone signals for the Fleet, which failed on trial; and that the Treasury awarded recently £25,000, and £1,000 per annum for 10 years, to an officer for a range-finder; and whether, in view of the services rendered to the Fleet by a system which has been endorsed with the high approval of Admirals Commanding in Chief, viz., H.R.H. the Duke of Edinburgh, Sir Phipps Hornby, Lord Alcester, Sir Thomas Symonds, and many others, their Lordships will again make representation to the Treasury so as to ensure further recognition of this officer's valuable services to the country?

*LORD G. HAMILTON: The question of my hon. and gallant Friend is based on the idea that we are now remunerating Admiral Colomb for his valuable invention of 20 years ago, but that is not the case. The Government of the day then paid the gallant Admiral a sum of £1,000 in recognition of his labours, and the matter was considered closed. The Government did not then purchase

any invention or patent rights, neither did they acquire any monopoly of the use of the system of flashing signals. From that time until now the Government have paid, as ordinary users of the invention, a contract price, agreed upon with Admiral Colomb, for the supply of certain patented articles, and the use of these articles is not confined to the British Navy. The Government do not admit any further claim on the part of Admiral Colomb; but, looking to the very great and enduring value of his invention, they are prepared to offer for his acceptance a sum of £2,000, as a further voluntary recognition of his merits. It is true that rewards have been paid of larger amount to other inventors, but it is impossible to weigh at the time one invention against another; and, moreover, the circumstances accompanying the grants in the cases referred to in the question are dissimilar to those in the case of Admiral Colomb. The latter had taken out a patent for his invention, and had virtually the monopoly of supplying the apparatus; while in the former cases the inventors had practically sold their inventions to the Government, and parted with all rights and advantages connected therewith.

DEATH AT BLACKPOOL.

MR. BIGWOOD (Middlesex, Brentford): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to an account in the *Blackpool Herald* of the 27th ultimo, referring to a verdict touching the death of one Helen Ball; and whether, seeing the police appear to have neglected their duty, he purposes taking any measures with the view of preventing such recurrences in the future?

MR. MATTHEWS: Yes, Sir; I have seen the account of the inquest in the paper referred to, and I have received a Report of all the circumstances from the Coroner, which formed the basis of my answer on this subject on the 27th June. From the facts before me I am not able to gather that the Police Authorities neglected their duty; but if my hon. Friend will inform me in what respect he thinks that they did so I will consider whether any further interference on my part is necessary.

Lord G. Hamilton

WESTMINSTER ABBEY.

MR. H. H. FOWLER (Wolverhampton, E.): I beg to ask the right hon. Gentleman the Senior Member for the University of Oxford (Sir J. Mowbray) what is the value of the estates formerly belonging to the Dean and Chapter of Westminster Abbey, now vested in the Ecclesiastical Commissioners; were those estates subject to any obligation with respect to keeping the Abbey in repair; and whether considerable outlay is now necessary for the preservation of the Abbey; and, if so, what course will be taken by the Ecclesiastical Commissioners as to providing funds for these repairs?

SIR J. MOWBRAY (Oxford University): In 1868 the estates of the Westminster Chapter passed to the Commissioners, subject to various beneficial leases, many of which have not yet expired. An annual income of £20,000 was provided for the Chapter, such income being considerably larger than what they had heretofore enjoyed. An increased provision was made for maintenance of the fabric, and £20,000 was granted for substantial repairs. It was afterwards estimated that a further expenditure of £40,000 was necessary to insure the safety of the Abbey. In 1886 an Act was passed under which the Commissioners advanced £10,000 as a loan, which subsequently became a grant, to the Chapter. In 1888 another Act was passed, which secured to the Chapter the full income of £20,000 originally contemplated, which had been reduced about one-tenth by agricultural depression. Under that Act provision was made that not less than £3,250 per annum was to be devoted to a Fabric Fund, and the Commissioners have advanced on security of the Fabric Fund £10,000 at a low rate of interest, and they will be prepared to make a further advance, if necessary. Under that Act one canonry of the value of £1,000 per annum has been suspended to meet the Fabric Fund. The Commissioners believe that these measures have adequately provided for the preservation of the Abbey.

LOCAL TAXATION (CUSTOMS AND EXCISE) DUTIES BILL.

SIR HENRY HUSSEY VIVIAN (Swansea, District): I beg to ask the

First Lord of the Treasury whether he will allocate such portion of the fund arising from the increased Excise Duties as may be due to Wales to the purposes of Intermediate Education in that country?

*MR. W. H. SMITH: I can only refer the hon. Baronet to the numerous answers I have already given to similar questions.

IRELAND—SHADOWING—CASE OF MR. JAMES O'BRIEN.

MR. FLYNN: I beg to ask the Attorney General for Ireland whether he has seen from the report in the Cork papers of the trial of Mr. James O'Brien, at Youghal, on the 27th ultimo, that a policeman named Quinn, disguised in plain clothes, gave Mr. O'Brien in charge to another constable, on a charge of obstruction, and Mr. O'Brien was thereupon arrested and taken to the police barracks; and, if the fact be as above stated, will he state under what authority the constables acted; why was not Mr. O'Brien summoned for the alleged offence, instead of being summarily arrested; and have the Constabulary in Ireland power to summarily arrest persons at the request of a constable? The hon. Member had also the following questions on the Paper relating to the same subject: To ask the right hon. Gentleman if he could state what was the nature of the obstruction complained of; and, in view of the fact that the Magistrates inflicted no punishment on Mr. O'Brien, and that he was imprisoned in Cork Gaol for seven days without trial, what compensation will be awarded him? To ask further whether the Attorney General could now state why was Mr. O'Brien summarily arrested by a policeman; what charge was made against him; and why was he not summoned in the ordinary manner?

*THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I am informed that the circumstances under which James O'Brien was arrested at Youghal were these: He was engaged in wilfully and persistently obstructing a constable while engaged in the proper discharge of his duty, by persistently following the constable about, pointing him out as a policeman in plain clothes, and calling public attention to him, thereby preventing him from discharging the detective duty on which he was employed. Constable Quinn, who was thus obstructed, thereupon called on Constable Blake to arrest O'Brien for such offence, and for conduct calculated to lead to a breach of the peace. The police have power to arrest in order to prevent an apprehended breach of the peace. When taken before a Magistrate, O'Brien is stated to have grossly misconducted himself in Court by abusing the Magistrate and the constable who was being examined as a witness. Having refused to give bail for his good behaviour pending the hearing of the charge, he was committed in custody from June 16 to 20. The charge against him was then heard in Court, and he was convicted. The Magistrates who heard the case were apparently of opinion that the law had been sufficiently vindicated by the imprisonment the man had already undergone while awaiting trial, and that the merits of the case would be met by ordering his further detention in custody until the rising of the Court.

MR. FLYNN: May I ask whether the right hon. Gentleman is aware that the wilful and persistent obstruction to which he has referred consisted of Mr. O'Brien's merely referring to the fact that the constable who was following him was as well entitled to buy beasts at the fair as he was; and that the constable in his sworn information admitted that this man had neither intimidated nor interfered with him more than that. Also, whether he is aware that two other men who were brought up on the same charge were merely summoned; and, if so, why Mr. O'Brien, who was a well-known shopkeeper in the locality, was not treated in a similar manner?

*MR. MADDEN: I am informed that there were two other men charged with obstructing this constable in the discharge of his duty, but their conduct was not so offensive as Mr. O'Brien's, and, in the opinion of the constable, was not likely to lead to a breach of the peace, and therefore they were summoned and not arrested. With reference to what occured at the fair I have no details before me, but I assume, from the conclusion to which the Magistrates came, that the evidence brought before them was of a different character to that which

has been laid before the hon. Gentleman.

MR. SEXTON: Will the right hon. Gentleman inform us whether the detective was following Mr. O'Brien, or whether Mr. O'Brien was following the detective?

*MR. MADDEN: The detective was not following Mr. O'Brien. He was at the fair for the purpose of generally preventing boycotting. A question was asked yesterday to that effect, but I am informed that he was not shadowing Mr. O'Brien.

MR. SEXTON: If the detective had a right to follow people at the fair, had not Mr. O'Brien as good a right to follow the detective?

*MR. MADDEN: Yes, Sir; unless he did so in such a way as to obstruct him in the discharge of his duty.

MR. FLYNN: The right hon. Gentleman has not answered a portion of the question. Why was it that this man, O'Brien, who was well-known to the police, was not summoned, as the other two men were, instead of being summarily arrested and taken to gaol?

*MR. MADDEN: I think I have answered that question. I said that this man was arrested because his conduct was such as was likely to lead to a breach of the peace.

MR. FLYNN: Breach of the peace on the part of whom? On the part of Mr. O'Brien or on the part of the constable? Was not a breach of the peace as likely to arise on the part of those persons whom the detective was following as on the part of Mr. O'Brien, who was alleged to be following the detective?

*MR. MADDEN: It is impossible for me to argue this question across the floor of the House. If Mr. O'Brien has been illegally arrested and imprisoned he has his remedy.

MR. W. REDMOND: Might I ask the right hon. Gentleman whether he approves that system of imprisoning men first and trying them afterwards?

*MR. SPEAKER: Order, order! That is a matter of opinion.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): Do I understand the right hon. Gentleman to say that when a complaint is made that an officer of the Government, under their immediate direction and control, has been guilty of an excess of power towards a private individual, it is quite enough answer for the Government to say that he has his legal remedy?

*MR. MADDEN: The right hon. Gentleman asked the question in substance whether I laid down the principle that a person aggrieved by the act of an official of the Government who has done wrong ought to be left by the Government to his legal remedy. I laid down no such principle. In the present case the right hon. Gentleman must bear in mind the fact that the Magistrates endorsed the action of the constable in this matter, by ordering the person arrested to find surety to be of good behaviour, and, in default, committing him to prison. Of course, I must assume the action of the Bench and the constable to be right, and therefore I submit that I was justified in giving the answer which I did. I may add, for the information of the right hon. Gentleman and the House, that, so far from the Irish Government acting on the principle which the right hon. Gentleman assumed, only yesterday my right hon. Friend the Chief Secretary, in answer to a question with relation to the illegal detention of some person in consequence of a mistake made by the Governor of the gaol, stated that he would not leave the person so detained to his legal remedy, but would consider what ought to be done.

ROYAL ASSENT.

While Mr. GLADSTONE was speaking, and before he had completed his last sentence, the doorkeeper advanced to the Bar, and, in a loud voice, announced the arrival of "Black Rod." There were cries of "Order!" from the Opposition Benches below the Gangway, and Mr. W. REDMOND exclaimed, "Bother the House of Lords," followed by "Order, order!" from Mr. SPEAKER.

Message to attend the Lords Commissioners;—

The House went;—and being returned;—

Mr. SPEAKER reported the Royal Assent to,—

River Suck Drainage (Provision of Funds) Act, 1890.

Herring Fishery (Scotland) Act Amendment Act, 1890.

Municipal Elections (Scotland) Act, 1890.

Contagious Diseases (Animals) (Pleuro-pneumonia) Act, 1890.

Electric Lighting (Scotland) Act, 1890.

Anglesey Act Repeal Act, 1890.

Kew and Petersham Vicarage Act, 1890.

And a number of Private Bills.

POINT OF ORDER—MESSAGES FROM THE LORDS.

Subsequently:

MR. WADDY said: Mr. Speaker, I appeal to you as guardian of the privileges of this House, and beg to ask whether it is not possible that some arrangement should be made by means of which the messenger of an assembly of co-ordinate jurisdiction with our own should be prevented from a course of action which I venture to call both abrupt and unseemly. The interruption which took place a few minutes ago, and which was made in that abrupt, harsh, and unseemly fashion, might just as well have taken place when any other Member was addressing it as the right hon. Gentleman who then happened to be speaking (Mr. Gladstone). It might have been the Leader of the House. I venture to think that would not have been a seemly thing or respectful to the House, and that some arrangement might easily be made to prevent its recurrence.

*MR. SPEAKER: I may say that the interruption is not altogether without notice, as three taps are given at the door, and the advent of the Black Rod is announced by the doorkeeper of our own House. If any means can be found which will tend to obviate the inconvenience referred to I shall be happy to consider them.

MR. SEXTON: Could not the opening of the door be delayed until a convenient moment?

*MR. SPEAKER: Our business is so continuous that it would be rather difficult to find a suitable opportunity to take that course. If the House wishes, I will communicate with the authorities of the House of Lords, and consider what can be done to avoid inconvenience.

BOYCOTTING IN TIPPERARY.

*SIR JOHN COLOMB (Tower Hamlets, Bow, &c.): I beg to ask the Attorney General for Ireland whether he is aware that a printed notice appeared in Tipperary during the day of the 24th June, containing a list of names of persons to be boycotted, in which that of an old woman named Clifford was included; and that on the same night in a back lane close to New Tipperary, lime was thrown over this old woman, and at a later hour her house was attacked by a mob with stones, the lower windows being destroyed, and she herself being injured with stones; and whether any arrests in connection with this assault have been made?

*MR. MADDEN: I am informed that it is the case that on June 24 a printed notice appeared in Tipperary containing a list of persons to be boycotted, and that in this list an old woman named Clifford was included. Also that it is the case that on the night of that day lime was thrown over the old woman, in a back lane situated within a few yards of the part of the town called "New Tipperary," and that, later in the night, her house was attacked by a mob with stones, all the windows smashed, and her goods in the lower part of the house destroyed, she herself also being injured by being struck with stones. No arrests were made, and the woman states that she is afraid to make an information and to prosecute.

MR. W. O'BRIEN (Cork, N.E.): If all this is true why have no arrests been made?

*MR. MADDEN: No arrests have been made because the old woman stated that she was afraid to give information.

MR. FLYNN: In what infirmary was the old woman treated?

MR. W. O'BRIEN: Is it not the fact that at this moment there is not a single person boycotted in the town of Tipperary; the last person boycotted having made his peace with the National League?

*MR. MADDEN: I have no such information before me. I never said the old woman was treated in an infirmary. I said she was struck with stones and injured.

In reply to a question by Mr. W. REDMOND (Fermanagh, N.),

*MR. MADDEN said: I have already stated that the woman was assaulted with stones.

MR. FLYNN: On what authority does the right hon. and learned Gentleman give this information to the House?

*MR. MADDEN: From the usual sources of official information.

MR. MACNEILL (Donegal, S.): As this old woman refuses to give information, cannot the right hon. Gentleman put in operation the Star Chamber Clauses?

[No reply.]

THE POSTMASTER AT DROMINTEE.

MR. BLANE (Armagh, S.): I beg to ask the Postmaster General, with reference to the case of Mr. Terence M'Alevey, Postmaster at Dromintee, who has been removed from his office on the ground that he resisted a seizure of goods in his own premises, there having been no warrant in the hands of the Sheriff or his officers against Mr. M'Alevey, whether a Memorial, praying for the re-instatement of Mr. M'Alevey, has reached the Postmaster General, complaining that the post office has been removed to an inconvenient place for the inhabitants of the district; and if he, taking all the circumstances into consideration, will restore Mr. M'Alevey to the office which he held for eight years, with satisfaction to the authorities and the public, in the district of Dromintee County Armagh?

*MR. RAIKES: Two Memorials have been received praying for Mr. M'Alevey's re-instatement, but in neither of them is any complaint made that the post office had been removed to an inconvenient place. It having been reported to me that the sub-postmaster had been sentenced to a month's imprisonment for an assault on a Sheriff's officer, and as his official conduct was unsatisfactory, his removal from his office was decided on. I regret that I am unable to re-consider this decision.

TIMOLEAGUE FAIR GROUND.

MR. FLYNN (Cork, N.): I beg to ask the President of the Board of Trade whether it is true, as reported in the Cork papers, that at the late presentment Sessions for the barony of Ibane and Barryroe, held at Timoleague, County Cork, it was stated by Mr. Travers, J.P., that an important part of the fair ground of Timoleague was privately purchased from the Admiralty by the local owner of the town and tolls; if such sale took place, to whom was it made, and what was the amount of purchase money given; whether, before such sale was completed, any notification was given to the public, who claim an immemorial right to the ground, and whether any public rights were reserved?

*SIR M. HICKS BEACH: In June, 1880, the Board of Trade, on behalf of the Crown, agreed to grant to the frontager, Mr. Robert A. Travers, of Timoleague, County Cork, in consideration of the sum of £5, the rights and interests of the Crown in a strip of foreshore on the west side of the River Argideen, opposite the village of Timoleague, containing between one-half and three-quarters of an acre, and extending from Church Bridge to a point opposite the ruins of Timoleague Abbey. Previous to the agreement being made, the application was, in accordance with the usual practice of the Board of Trade, advertised two successive weeks in each of two county newspapers, and no objections were received. As the shore was required for reclamation purposes, no public rights were reserved.

POSTAL ACCOMMODATION AT KILMOUNT.

*MR. KNOX (Cavan, W.): I beg to ask the Postmaster General whether he will consider the expediency of providing, by a rural box or otherwise, further postal accommodation for persons living in or near Kilmount, in the neighbourhood of Cootehill, who are at present seriously inconvenienced by the want of facilities for the posting and delivery of letters?

*MR. RAIKES: The subject to which the hon. Member refers has already been fully considered, and I find that there are only about four letters a day for Kilmount and its immediate vicinity. It is estimated that not more than two letters a day would be posted if an official box were established there, and I regret that the circumstances do not warrant special accommodation being afforded.

TIPPERARY MAGISTRATES.

MR. DILLON (Mayo, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will consent to the issue of a Return showing the attendance of Local Magistrates at weekly Petty Sessions in Tipperary from June, 1888, to June, 1890, and the attendance of Stipendiary Magistrates during same period?

MR. MADDEN: I must ask the hon. Gentleman to postpone this question until Monday.

THE OFFICE OF COMMANDER-IN-CHIEF.

SIR J. COLOMB: I wish to ask the Secretary of State for War whether he will correct a statement in the report of his speech last night in the *Times* of to-day, in which he is represented to have said, "We mean the abolition of the office of Commander-in-Chief of the Army," because, undoubtedly, the right hon. Gentleman stated that the Government had not so decided.

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): My hon. Friend is quite right. In the passage to which he alludes I was mentioning the proposals of the Commission, not the decision of the Government, and by reading the context anyone will, I think, be able to see that what I said was—

"Which I may sum up by saying that what I mean is the proposal for the abolition of the office of Commander-in-Chief."

LEAVE OF ABSENCE.

Mr. H. F. BEAUMONT, for one month, on account of ill-health.—(*Mr. Anstruther.*)

ORDERS OF THE DAY.

WESTERN AUSTRALIA CONSTITUTION BILL.—(No. 256.)

THIRD READING. [ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Question [1st July], "That the Bill be now read the third time."

Question again proposed.

Debate resumed.

(4.31.) DR. CLARK (Caithness): Mr. Speaker——

*MR. SPEAKER: I am afraid the hon. Member has already spoken.

DR. CLARK: I have not spoken on the Third Reading, Sir.

*MR. SPEAKER: My recollection is that the Question of the Third Reading had been put.

DR. CLARK: What occurred, Sir, was this: The right hon. Gentleman the First Lord of the Treasury asked the consent of the House to take the Third Reading.

*MR. SPEAKER: I beg the hon. Gentleman's pardon. I put the Question from the Chair, "That this Bill be read a third time." I am not able to allow hon. Gentlemen to speak who have already spoken.

*(4.33.) SIR J. COLOMB (Tower Hamlets, Bow, &c.): I wish to ask the right hon. Gentleman the Under Secretary of State for the Colonies whether he will state to the House what reservations have been made in the neighbourhood of St. George's Sound for the purposes of Imperial defence?

*(4.34.) THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): The question which my hon. and gallant Friend puts to me is exceedingly important. It was considered by the Committee, who took evidence on the subject, and the Secretary of State telegraphed to the Government officials in Australia to reserve land in St. George's Sound for the purposes of defence. It must not be understood that the land is to be garrisoned by British troops. It is reserved for colonial defence. It will be fortified by the colony, and the armament will be supplied by Her Majesty's Government. We have received a telegram stating that all the land in the immediate neighbourhood of St. George's Sound which is likely to be required in connection with the defence of the port, has been reserved. As long as the reserves continue, the land cannot be sold or applied to any other purpose than that of defence.

(4.35.) MR. W. REDMOND (Fermanagh, N.): I wish to ask the right hon. Gentleman the Under Secretary a question. I want to know whether it would not be possible for Her Majesty's Government to convey to the Government of Western Australia some idea of the opinion which has been so strongly

expressed here against that part of the Schedule of the Bill which restricts the franchise under the proposed Constitution? A great many Members who have done everything they could to secure the passage of this Bill, strongly regret the restriction of the franchise; and I think it would be a very good thing if, without at all dictating to the Colonial Government, Her Majesty's Government could convey to them the fact that there is a strong feeling among the friends of the Bill against the restricted franchise.

*(4.36.) MR. MORTON (Peterborough): I object to the Third Reading of this Bill, and, if I have an opportunity, shall vote against it. The other evening I asked for some explanation of the Preamble of the Bill, in which there is something said about the allowance to the Attorney General of Western Australia. No explanation has been given, nor have we been told whether the Attorney General is to have an allowance at all. My principal objection to the Bill, however, is that we are forcing on these colonists a Constitution which they do not want—a Constitution based on a franchise which as soon as we possibly can we shall discard in this country altogether, and which contains other objectionable features. I find on reading the evidence given before the Select Committee that the elected Representatives on the present Legislative Council are entirely opposed by a considerable majority to the provisions of this Bill. The chief witness, Mr. Parker, who is said to represent the views of the elected members of the present Council, objected both to the proposed franchise and to the qualification of Members of the House of Commons. He says he is willing to allow the measure to pass because he thinks these things can be altered directly they get the new Constitution. But, as was pointed out in other evidence, they are not likely to be allowed to alter it for six years, and the Senate will probably prevent them altering it for many years. What I say is that we, having the settlement of this matter now before us, ought to take care that we give the Western Australians the most democratic Constitution we possibly can give them. I should not mind allowing this colony to have control of the lands, if the whole of the people were to have a voice in the Government. Under the franchise now proposed, the colony will be controlled by about half the persons who ought to have votes. It looks almost as if this Constitution had been made up for the purpose of benefitting the moneyed classes in the colony. We are informed by the Return that the Bank of New South Wales has nearly 3,000,000 acres of land in the colony, that another bank has 2,500,000 acres, that the Union Bank of Australia has nearly 8,000,000 acres, the Western Australian Bank over 1,000,000 acres, Mr. W. McKennon 4,000,000 acres, and the Forrest family about 2,000,000 acres. I am afraid that if such a Constitution as this is adopted, this sort of thing will go on until practically the whole of the land in the colony will get into the hands of land grabbers and that sort of people. This Constitution does not come from the colonial people, except geographically; it does not come from the majority of the people. It is stated in the evidence that it comes from the minority. [Baron H. de WORMS indicated dissent.] The Colonial Secretary says that is not so, but the evidence is entirely against him, because we are told that at a recent election in Perth a candidate who advocated manhood suffrage and other reforms was returned by a large majority. Other evidence goes to show that if this Constitution were put to the vote, two-thirds of the people would declare themselves against it.

*BARON H. DE WORMS: The hon. Member's statement is entirely inaccurate.

*MR. MORTON: Well, if your own Governor makes inaccurate statements, I cannot help it. I gathered from his statement that two-thirds of the population were against this Constitution. Well, we know that if there is only a third of the people in favour of the Constitution, it may be a generation before the majority can get an alteration made. I think, under these circumstances, we ought to reject this Bill, or that, at least, we should make provision that there shall be a Convention of Representatives of the people of the colony on the subject. I know it is said that the promoters of the Bill need not have come here at all on this question. Why have they come here? Because they want to get possession of the land. We ought to take care to put Western Australia in the same

position as the other Australian Colonies. I shall vote against the Bill, feeling satisfied that a few months' delay will make no difference to the Colonists, and that they will be grateful for our action if in the end we give them a good Constitution. Now, Sir, I find I was right in what I said about the two-thirds. On page 63 of the Blue Book I find these questions and answers:—

"Q.—Can you tell us about what the proportion of the majority would be? A.—I could not. I imagine, numerically speaking, the majority of the population would dispense with the property qualification. Q.—Would it probably be five or six to one at all events? A.—Possibly so."

Well, five or six to one is more than two-thirds, and, therefore, I have more than made out what I said just now.

*BARON H. DE WORMS: The hon. Member has made out nothing at all.

(4.49.) MR. O'KELLY (Roscommon, N.): I think the hon. Member for Peterborough (Mr. Morton) has spoken without a sufficient knowledge of the facts. Under the present franchise the people of Western Australia will be able to elect the majority of Parliament. I should like very much myself to see a wider Constitution, but, according to the evidence, a £10 franchise in Western Australia means a very different thing from what it means in England, and would practically take in four-fifths of the population. But the great guarantee is that the elected Members under the new Constitution will be able to control the Government, which will be a representative one. As to the land question, I would point out that all the land that is worth anything in the colony is rented under the existing system. The land which is given under this Bill is largely mining land, which can be of no use to anyone unless he is willing to venture large sums of money on its exploration. It is land totally unfitted for colonisation in the ordinary sense. Under the circumstances, therefore, I think the House will do well to pass this measure. Western Australia did not take the trouble to send one man to this country to protest against the Bill. We tried to obtain evidence against it, but no one took the trouble to communicate with us in opposition, showing clearly that there cannot be any very strong reasons why the measure should not pass. The evidence given before the Committee was altogether in favour of the passing—and the rapid passing—of the Bill.

(4.54.) MR. FLYNN (Cork, N.): I should like to say that, although some hon. Members were opposed to this Bill in the Committee, in view of the decision of that body, and knowing that to delay the passing of the measure will cause serious dissatisfaction in Western Australia, those hon. Members have refrained from offering that strenuous opposition which, under other circumstances, they would have felt it their duty to offer. We had hoped, however, that in passing the Bill the Colonial Office would, in some way, have secured a pledge from the colony that in return for the Constitution which is being secured to them, they should, when the good time comes, abolish this restrictive franchise. I think the Colonial Office might fairly have claimed that as a *quid pro quo*.

(4.55.) MR. CONYBEARE (Cornwall, Camborne): By the indulgence of the House, I should like to put a question to the Under Secretary for the Colonies as to the pension to be provided in the Schedule for the Attorney General of Western Australia. A question on the subject has been asked, but I have not yet heard any answer to it. I want to know, in view of directing my own vote, if we go to a Division, whether any alteration has been made, as suggested in the Preamble of the Bill in connection with that pension; and, if so, what that alteration is. I would further ask why any pension should be paid to this gentleman at all considering the circumstances—which are so well-known in the House and the country—under which he was pitch-forked into his present position?

*(4.56.) BARON H. DE WORMS: The present salary of the Attorney General of Western Australia is £600. Of this £500 is fixed and paid by the colony, and £100 is annually voted. It was first proposed to give this gentleman two-thirds of his whole salary—that is to say, £400—as a pension. The sum, however, was changed to two-thirds of the fixed amount of £500.

Question put, and agreed to (Queen's Consent signified.)

Bill read the third time, and passed.

POLICE BILL.—(No. 338.)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That the Order for Committee be discharged: That the Bill be committed to the Standing Committee on Law, &c."—(*Mr. Secretary Matthews.*)

(4.58.) SIR W. HARCOURT (Derby): I rise to appeal to the Government not to take this course. I am sure they must feel as everybody feels that this is a measure which it is desirable to forward as soon as possible. The Bills which are sent to Standing Committees are generally Bills that have a great deal of technical detail in them, but that is not the case with the present measure. I do not see what the Standing Committee can do with this Bill. Though I do not happen to have the honour to be a Member of the Standing Committee to whom the Bill will be referred, I know that they will be able to do nothing with the Bill. It is merely an additional stage which will be of no sort or kind of advantage. It will be sheer waste of time to send the Bill to such a Committee. The Government cannot expect that a Bill of this importance can escape discussion in the House. Generally speaking, the object of sending a Bill to a Grand Committee is to get rid of a discussion in the House, and the Government cannot hope, considering the interest that is felt in the Bill by the Police Force throughout the country, to prevent the measure from being discussed. My right hon. Friend who presides over the Standing Committee will state the condition of business before the Committee, and show that the Motion can only have a dilatory effect; that it will bring about nothing but mischief, and do no good whatever towards settling this question. Therefore, I hope the Government will not press the Motion, but allow the Bill to be dealt with in the usual way. All that will happen if the Bill is sent to a Grand Committee will be that when it comes back here on Report stage it will have to be argued all over again.

*(5.1.) MR. G. OSBORNE MORGAN (Denbighshire, E.): Perhaps, as Chairman of the Grand Committee to which this Bill would be referred, I may be allowed to say a word as to the business before that Committee and the prospects of passing the Bill into law this Session if the proposal of the Government is acceded to. At present the Committee have two Bills referred to it—the Amendment and Consolidation Bills on the Housing of the Working Classes. These are very important measures. The Committee has sat once on them, and has got through three clauses of the Amendment Bill. There are several other clauses still to be dealt with, including the sixth, which refers to the application of the Bill to the County of London, and these it is very desirable to have fully discussed. I may mention that the rate of progress of the Standing Committee does not improve, for one Amendment suggests another. I am quite sure that I am understating the time that would be necessary if I suppose the Bill now before the Standing Committee can be disposed of in two more Sittings. Then it will be necessary to amalgamate the two Bills—the Amendment Bill and the Consolidation Bill—into one. That will involve re-printing and loss of time; and supposing it is possible to deal with the Consolidation Bill as a matter of form in one sitting — as to which I will say nothing — it is obvious that it will not be possible to reach the Police Bill before Monday fortnight, the 21st July. Now, I know from painful experience that it is extremely difficult at the end of July, and still more so at the beginning of August, to get a quorum of this Committee together. I have sat for an hour without getting a quorum, and my right hon. Friend the Member for Stirling tells me that he has had to sit for three hours without being able to get a quorum. I have the highest opinion of the action of these Committees. They do their work exceedingly well, provided the work referred to them is of the proper kind. The Members who attend are generally picked men, and they do not vote on Party lines. They hear the discussion, and they do not play to the gallery. Besides this, the Chairman has generally the advantage of having the drafter of the Bill at his elbow to consult with if necessary. Still, if you do not want the Grand Committee system to be discredited, let the House be careful what Bills are referred to these Committees. Any measure involving a

Party question, or any heated discussion, is unsuitable for reference to a Grand Committee. Moreover, the Committee naturally will object to sitting for weeks to do work which is absolutely useless, as was the case two years ago when the Employers' Liability Bill, after being considered for a month upstairs, had to be dropped in the House, because every Amendment which had been discussed before the Committee was put down for reconsideration in the House. I should not grudge any amount of time bestowed on a Bill provided it is usefully bestowed. As I hold the position of Chairman of the Committees, it is as well that I should say nothing about the Bill under discussion. All I will say is, that if it is referred to us, it will be treated in a workmanlike manner, but I certainly doubt whether we shall not have sufficient time to deal with it properly, and send it back to the House in time to be passed this Session. I hope, therefore, the right hon. Gentleman will not insist on sending the Bill to the Grand Committee.

*(5.9.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): The right hon. Gentleman who has just sat down has raised a practical objection to the Bill being referred to the Grand Committee, namely, that the Committee is already engaged on the consideration of two important measures, which, in the opinion of the right hon. Gentleman, will probably not be disposed of until Monday fortnight. Well, as I am responsible for the two Bills now before the Grand Committee on Law, I may be allowed to say something on that question. I think he has greatly over-estimated the time likely to be taken up by the two Bills before the Grand Committee. The right hon. Gentleman said that only three clauses have been disposed of by the Grand Committee. That is perfectly true, but the bulk of the Amendments on the Paper had reference to those three clauses. The remaining Amendments do not touch an important question of principle. Some of them are Amendments which are proposed by the Government, and are not likely to lead to any discussion at all. There is only one question of principle which has to be decided, and I believe that if the Committee could have sat for another hour yesterday they would in all probability have got through the whole of the Amendments on the Paper. Reference has been made to the London clauses. I do not think there is a single Amendment to the clauses dealing with London, and I am confident I express the opinion of the London Members when I say they are perfectly satisfied with the provisions of those clauses. As to the Consolidation Bill the right hon. Gentleman complains that the measure is not printed. It is in print, as amended by the Amending Bill, and as the Committee proceed so the Consolidation Bill is amended. The right hon. Gentleman said that the pace at which the Grand Committee proceeds does not increase. So far as my limited experience of yesterday is concerned, I think every member of the Committee was actuated by a desire to confine discussion within the smallest possible limits, and to assist the progress of the Bill. The right hon. Gentleman said that the Bills referred to Grand Committee should not be Party Bills or Bills containing any vital principle which was matter of dispute between Parties. That is exactly the kind of Bill the Police Bill is. All Parties are agreed as to the desirability of superannuation. [*Cries of* "No."] Well, then, many are, and the right hon. Gentleman is entirely in accord with the Government on the point. There are matters of great importance to be considered, but they cannot be said to be in any sense of the term Party Questions. The right hon. Gentleman says that by referring the Bill to the Grand Committee we are adding another stage, and he talks about the proceeding as a dilatory proceeding. I venture to say that if devolution is favourably regarded by the House, this is an occasion on which the principle of devolution might most fairly and properly be applied. I do not at all agree with the right hon. Gentleman that it means the addition of a stage. I believe that, in all probability, the Bill will come back from the Grand Committee in such a form that it will lead to very little discussion in the House. [An hon. MEMBER: The Employers' Liability Bill.] The Employers' Liability Bill was a Bill of an altogether different description. In it there was most contentious matter, but no con-

tentious question is involved in this Bill.

(5.17.) MR. LAWSON (St. Pancras, W.): I think the course the Government are taking will lead to a good deal of friction and delay. I cannot share the right hon. Gentleman's view as to Grand Committees. I have served the whole of this Session on the Grand Committee on Trade. Bills which did not involve Party considerations, but which greatly interested the financial and commercial Members of the House, were referred to the Committee. Those Bills were fought word by word, line by line, clause by clause. I thought there was a great waste of time. The reference to the Committee did not save discussion, because one of the Bills came down to this House, and was debated afresh. I fear questions affecting the Metropolitan Police will be debated in this House after the Bill has passed through Grand Committee. I cannot agree with the right hon. Gentleman that the Grand Committee on Law will get through its Bills as soon as he imagines. There are not many contentious Amendments to the Housing of the Working Classes Bill to be considered, but there is one serious question in connection with compensation to be debated. The consideration of the subject will take one, if not two, Sittings. I hope to see the Bill passed, but I should prefer the discussion upon the clauses to take place in Committee of the Whole House.

(5.23.) MR. HOWARD VINCENT (Sheffield, Central): In common with every man, I believe, on this side of the House, and with the right hon. Gentleman the Member for Derby, I have every desire to see this Bill pass as quietly as possible. I find there are already 86 Amendments upon the Paper, and I am quite sure these will be quite as well, and far more rapidly, discussed in Standing Committee than in Committee of the Whole House. Having regard to the present position of the Notice Paper, and to the amount of business to be considered, I think the course proposed by the Government is best calculated to secure the rapid enactment of the Bill.

(5.24.) MR. PICTON (Leicester): It is not only Bills that excite strong Party feeling which ought not to be referred to Grand Committees, but Bills that excite strong local feeling. Members who are not on the Grand Committee will not be content to allow the Bill to pass without comment, and, therefore, I think the best thing is to take the Bill in Committee of the whole House.

*(5.25.) MR. C. DARLING (Deptford): It appears to me the right hon. Gentleman the Member for Derby has entirely lost sight of one consideration, and that is that, if the Bill is to be taken in Committee of the whole House, it may be used by some one less scrupulous than himself for the purpose of obstructing some other measure which may be objected to. Perhaps if the right hon. Gentleman had realised this point he would not have taken the objection he has.

(5.26.) SIR G. TREVELYAN (Glasgow, Bridgeton): I must say with respect to the hon. and learned Gentleman that his argument is a very poor one. The chances of this Bill being discussed in Committee at some length have nothing to do with any other consideration than its extreme importance and its special character. I feel very strongly on the point of referring this Bill to a Grand Committee. This is not a Bill of great detail, but a Bill which every Member of the House thoroughly understands. It is a Bill which hon. Members feel extremely strongly about, and it is quite impossible that when the Bill has gone through the Grand Committee it should not afterwards be discussed at length on Report, because it affects every district throughout the country in a matter which every Member understands, and which, as a guardian of the public purse, he feels very strongly about. The discussion on questions of retirement, salary, pension, and—[An hon. MEMBER: Salary!] Well, the question of salary is to be raised incidentally by an hon. Member below the Gangway, and the question must in some sense be discussed because, of course, pension is only another form of paying deferred salary. These questions ought to be discussed in the face of day. There is no desire on this side of the House to delay the Bill, because we want to have the Bill passed, and passed in such a shape that it will be advantageous to the police, and not disadvantageous to the ratepayers.

*(5.29.) MR. PICKERSGILL (Bethnal Green, S.W.): It is impossible to pass by unnoticed the uncertainty and vacillation which have characterised the proceedings of the Home Secretary. In the first place, he proposed to refer the Bill to a Select Committee, then he altered his mind, and thought he would take the Bill in the Committee of the whole House, and now he proposes to send the Bill to a Grand Committee. The particular circumstances in which we find ourselves are very likely to lead to positive disaster. What are those circumstances? The Home Secretary quarrelled with the Chief Commissioner of Police over the details of this Bill. He has represented himself in the contest as the guardian of the public purse. On the other hand, the Chief Commissioner of Police has declared himself as the special champion of the claims of the men, and the men regard him in that character. I do not want to judge between the Home Secretary and the Chief Commissioner of Police, but I say that, inasmuch as these things have occurred, the Home Secretary should give the police an earnest of his good faith by displaying energy and despatch in dealing with this Bill. These are just the qualities which have been in this case conspicuous by their absence. The right hon. Gentleman proposes to refer the Bill to the Grand Committee upon Law. The Chairman of that Committee tells us there is business before that Committee to occupy them for at least a fortnight. I will divide that by two, and say the present business may be disposed of in a week. At least a fortnight will be occupied by the Bill in Grand Committee, and so there will be three weeks from now before the Bill comes back again to this House, and Heaven only knows what or where the Government will be three weeks hence. More than that, from what has taken place already, we may draw the reasonable inference that there will be a determined effort to defeat the Bill in the House. Well, it will come back to us, at all events not earlier than the last days of July, and then, or early in August, a determined effort will be made by possibly not a large number of Members, but, I believe, a number of Members who have formed a strong conviction against the Bill, to defeat it, and it is matter of doubt whether, to use a *Times* phrase, the Government will have "sufficient moral energy" to force the Bill through in the face of a determined opposition. As to what has fallen from the right hon. Gentleman the Member for Derby (Sir W. Harcourt), I support what he has said. I cannot see more than one reason for referring this Bill to the consideration of a Committee at all, and that would be if the Committee were empowered to receive evidence in regard to the pay and conditions of service generally of the rank and file of the Metropolitan Police, and if you choose to give that opportunity I should not oppose it. But the Grand Committee has neither the power nor the machinery for an inquiry of that character. Therefore, I say, the time spent over the Bill in Grand Committee will be sheer waste, and you will only be deferring for three weeks the inevitable battle that must be fought out on the floor of the House. For this reason I support the suggestion that the Bill should be considered in Committee of the Whole House, and if the right hon. Gentleman persists in his Motion he will incur very great responsibility. He endangers the Bill, and if the Bill is defeated I hope the police and the public will place the responsibility of the disappointment of our reasonable hopes where it ought to be, with the right hon. Gentleman and his Motion.

*(5.33.) MR. T. H. BOLTON (St. Pancras, N.): I am sure the Government will not think I am actuated by hostility to the Bill in what I am going to say, because I have voted with them on this question and supported the police superannuation provisions in the Local Taxation (Customs and Excise) Duties Bill. But I think the Government must see from the discussions we have had that there is much difference of opinion, which will not be sufficiently ventilated in Grand Committee, and so, after the Grand Committee has had the Bill before it, the whole question will be re-discussed in the House. So far as I and other Liberal Metropolitan Members are concerned we shall raise no unnecessary discussion. We are in favour of police superannuation, and we shall give the Government support in making the system of police superannuation effec-

tive in London. But there are other Members in the House representing provincial boroughs and counties, who feel a deep interest in this Bill, and as the principle of the Bill applies to provincial boroughs and counties as well as to the Metropolis, they holding different views to ours, feel it their duty to discuss the Bill on behalf of those they represent. Under these circumstances, I appeal to the Government to consider whether it will not be better to get the Bill into Committee of the whole House as soon as possible, relying on the support they will receive from the House generally, and especially from Independent Members on this side. So far as we can prevent it, there shall be no dilatory or embarrassing proceedings to defeat or retard the progress of the Bill through Committee. It is not, and ought not, to be made a Party question. Both sides of the House are deeply interested in having this question satisfactorily settled, and no real or ultimate Party advantage can be gained from difficulties connected with the administration and management of the police. The desire should be on both sides, and I believe it is to have a system settled which shall be fair to the police and fair to the public. I hope the right hon. Gentleman the Member for Derby (Sir W. Harcourt), who is committed by Bills he has in former times introduced to the principle of police superannuation, will co-operate with the Government in giving effect to that principle. I do not suppose for an instant that the right hon. Gentleman will offer any factious opposition to the Government proposal, nor do I think any of the occupants of the Front Opposition Bench desire other than a reasonable discussion. I hope the Home Secretary will take advantage of the friendly suggestion made. We must all feel that the settlement of the question of police superannuation has been too long delayed. It is in the interest of the police and the public that it should be settled, and it will be a great disappointment to the police and all of us who take an interest in the well-being of the Force if the settlement should be thrown over to the chances of another Session. I will not labour the appeal, but I do urge the Government to reciprocate the spirit in which the suggestion is made, defer to the evident sense of the House, and let the Bill be dealt with in Committee of the whole House.

(5.37.) MR. ATHERLEY-JONES (Durham, N.W.): The reception which the Bill received on the Second Reading was such as to afford no great assurance that the Bill will rapidly pass through Committee. I am bound to say that my view is, if ever there was a Bill that ought to go before either a Select Committee or a Standing Committee, it is this Police Bill, and I am certainly fortified in that opinion by the speeches from the two hon. Members who last spoke from this side. There is no doubt about it that the Debate which took place on the Second Reading clearly manifested there was a very strong intention, with perhaps the object of catching applause, to press forward the Bill as much as possible in the interest of the police and as little as possible in the interest of the ratepayers. The Bill is brimful of details; there is the question of the period of superannuation, the amount of superannuation, the amount of deductions to be made from the police pay, the question of the amount to be borne by the ratepayers, the amount to be borne by the Imperial Government; in fact, I may say every clause is brimful of detail of a financial character, and, under the circumstances, I think, if only for that reason, apart from the other and more formidable reason given, it is desirable the Bill should be dealt with by a body free from the heating influence of a Debate in this House, and where it can be approached in a judicial spirit.

*(5.40.) THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am glad to hear that on both sides there is equal desire to promote the passage of the Bill. [*Cries of* "No!"] With rare exceptions, the great bulk of opinion is in favour of the Bill. Now, my Motion has no other object. I echo entirely the remarks which have fallen from the last speaker. If the principle of devolution is to be applied at all, the present measure is one which amply justifies the application of the principle. It ought to be borne in mind, moreover, that no Division took place on the Second Reading, and that the general lines of the measure have been assented to by both sides of the House. There is no

difference of opinion as to the principle; the differences of opinion which exist have reference rather to points of detail, which certainly can be better, more carefully, and more dispassionately discussed in a Standing Committee than in the House itself. I can scarcely conceive any question on which the House will find it necessary, after the Committee has concluded its labours, to raise the same points again.

*SIR W. HARCOURT: But suppose we are not Members of the Committee?

*MR. MATTHEWS: The right hon. Gentleman is a host in himself; he is a Member of the Committee.

SIR W. HARCOURT: I shall not sit upon this Bill.

*MR. MATTHEWS: Then the right hon. Gentleman will not manifest that zeal for the Bill which his words in this House have led us to expect.

SIR W. HARCOURT: Let it be discussed in the House.

*MR. MATTHEWS: The right hon. Gentleman will only discuss the Bill in this House, and this leads me to ask when will he find an opportunity of discussing it, considering the large amount of business which has yet to be dealt with? It is in order to promote the passage of the Bill—it being regarded as a matter of grave public importance—that it has been decided to refer the discussion of its details to the calmer atmosphere of a Standing Committee. The discussion of details will unquestionably be more conveniently carried on in Committee. The alteration of one small point in the scale of pensions, for instance, will involve minute and delicate adjustment of other parts of clauses. The Bill will occupy the Committee probably three or four days, while in the House, where the discussion would necessarily be longer, the discussion would occupy at least five days. Consistently with the completion of other business, with which our hands are full, I do not think that the necessary number of days could be found.

*(5.45.) MR. H. H. FOWLER (Wolverhampton, E.): I quite agree it is desirable to pass the Bill this Session, but there are reasons why we object to its reference to a Standing Committee. In the first place, the Standing Committee on Law is not pre-eminently qualified to deal with the question. I say not a word in disparagement of Members who are familiar with the law in theory and practice; but this Bill is concerned with administrative and not legal questions—questions upon which those Members are most qualified to speak who are familiar with police administration in boroughs and counties. The right hon. Gentleman has spoken of difficult and delicate details; but I think I know the Bill pretty well, and I have long been familiar with the subject, and I confess I do not see where the points of difficulty and delicacy arise with which we cannot here deal. There are one or two questions of principle underlying the whole measure which the House must decide, and which it will delegate to no Committee whatever to dispose of. A large number of Members representing counties and boroughs are not disposed to accept the principles with respect to superannuation which must be applied to the Metropolitan Police. Another point is the amount of interference which the Central Authority would exercise over the Local Authority. We have for years been working for the principle of decentralisation. The great object of the Local Government Bill was to strengthen that principle and get rid of perpetual Government control in all Departments of municipal and county administration, and that is why we deplore the application of the principle of subventions, which must be accompanied to some extent by Imperial control. But the *crux* of the Bill is the extent to which we are going to control by Act of Parliament the administration of local funds in dealing with local matters. Representatives of the ratepayers in their respective boroughs and counties can deal with questions affecting finance far more wisely and successfully than this House can deal with them. There are questions of length of service, the scale of pensions, the extent to which you will allow Local Authorities a free hand between a maximum and a minimum, upon which County and Borough Members will have a word or two to say. Then there is another question—the financial one. You are now going to introduce a Bill—I am not saying it is wrong, for I consider myself to a certain extent responsible for it—to compel Local Authorities to establish a superannuation

Fund with the ultimate burden on the rates. I have a communication from one of the largest boroughs in England protesting against this principle. You do not apply the principle throughout the Civil Service. But I must not argue that question now. There are two or three principles involved, which, with the Chairman of Committees in the Chair, we might settle in a much shorter time than the Home Secretary supposes. I do not for a moment think we should occupy four or five days. My right hon. Friend near me, and myself, will assist in passing the Bill. The Home Secretary asks, Where are we to find time for a Committee of the whole House? I would ask, Where are we to find time for the Report? I venture to predict that the course now pursued will create delay, and may possibly involve some difficulty in passing the Bill before the Session is brought to a close. We do not know what the Session has in reserve; tell us this, and we may assist in the solution. The hope may be vain, I own; but if the Government would abandon all contentious business now that we have got through a week of July, and concentrate attention on Supply and to winding up the business of the Session, I am sure this Police Bill might, without difficulty, be carried to a successful issue.

*(5.53.) THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): There was one portion of the speech of the right hon. Gentleman which I heard with satisfaction, the reiterated assurance that the right hon. Member for Derby and himself were desirous of offering every facility for passing the Bill into law after due consideration. The right hon. Gentleman and his colleagues think we shall be delaying the Bill by sending it to a Standing Committee. But my right hon. Friend the Home Secretary and myself have come to the conclusion that it would delay the measure if we were to send it to a Committee of the whole House. The right hon. Gentleman will admit that I have shown every disposition to meet the views of himself and his friends wherever we could bring our opinions into accord with theirs. I listened with some interest to the statement made by the hon. Member for Bethnal Green (Mr. Pickersgill), who said that there is a small section determined to defeat the measure by all the means in their power. That expression is cheered by the senior Member for Northampton.

MR. LABOUCHERE (Northampton): Allow me to explain. My cheer did not express approval or disapproval; it simply meant "Yes, that is true."

MR. W. H. SMITH: I accept the statement of the fact that, at all events, there are a number of gentlemen who are determined to defeat the Bill by every means in their power, and we know the power these hon. Gentlemen possess to delay proceedings in Committee. The Government are aware of the difficulty of passing the Bill through a Committee of the whole House in the month of July. They have, therefore, availed themselves of the principle of devolution, in order that the Standing Committee may deal with a stage in which prolonged opposition would be possible in a Committee of the whole House. The right hon. Gentleman has said that there are points of principle with which the House ought to deal. I agree with the right hon. Gentleman, and the House will have an opportunity of dealing with those points if they are not satisfied with the way in which they are dealt with by the Standing Committee. This is not a Party question, but it is a question of importance, and the Government will accept the assistance of hon. Gentlemen opposite in endeavouring to arrive at arrangements which will be satisfactory to the police and which the interests of the country require. The right hon. Gentleman spoke of this Committee as if it were not competent to deal with this question. But I have read through the list of names, and I find that there are on it a large number of Gentlemen who, as Chairmen of Quarter Sessions and Magistrates, are perfectly qualified to deal with the question.

(6.2.) SIR W. HARCOURT: With the indulgence of the House I wish to be allowed to say that I do not propose to divide the House on the question. I do not desire to make it a Party question, but the whole responsibility will rest with the Government. My right hon. Friend the Member for Wolverhampton and myself are extremely anxious to

render any assistance in the House, but we will take no part in the discussion in the Standing Committee. The Government must conduct the discussion there themselves, and take the responsibility themselves. My right hon. Friend and myself could not make ourselves parties to delaying or endangering the Bill.

*(6.3.) CAPTAIN VERNEY (Bucks, N): The right hon. Gentleman the First Lord of the Treasury does not understand what is the nature of the opposition that is going to be offered to this Bill. It is not a factious or Party opposition. The opposition arises from the fact that though the Bill may be excellently adapted to the Metropolitan Police yet it interferes with the powers of Local Authorities in the counties. It takes out of their hands powers which, generally speaking, they have exercised wisely and well. In every county there is a system of superannuation in vogue. It is a different arrangement in different counties, and the County Authorities look with extreme jealousy on the action of the Government in bringing in a Bill which will sweep away all existing county distinctions. It will, therefore, be the duty of Representatives of county districts, before the Grand Committee, and in this House on the Report stage, to make known the views of their constituents. There is still another reason which, in my opinion, justifies the opposition to the Bill. In the celebrated Memorandum, which is marked confidential, it is explained that the reason why the Bill was not brought in sooner was because it was thought desirable that the newly constituted County Councils should have time to consider the subject. Now, the County Councils have not had time to do any such thing. There is no County Council in the Kingdom which has yet spent time in so doing, and therefore, while so far as the clauses affecting the Metropolitan Police are concerned I will gladly do anything in my power to assist the Government to pass them, yet I warn them that great opposition will be excited by this Centralisation Bill, which is, after all, but a preliminary step to eventually getting the police wholly under Government control. If the Government send this Bill to a Committee upstairs, they will not spare themselves subsequent discussion in this House on the Report stage. I repeat, it will not be a factious opposition—it will not be carried on with any desire to embarrass the Government, but solely because our duty to our constituents demands that we should not allow local special arrangements with the police to be swept away, and all parts of the country placed under one system.

(6.7.) MR. LABOUCHERE: I have taken no part in the discussion, and I can assure the First Lord of the Treasury that I have no very strong feeling on the subject. I do not think this is one of those Bills which ought to be defeated by what I may call exhaustive tactics in this House. But what I may point out to the right hon. Gentleman is this: that he and his friends are always getting into trouble by trying to put a quart of bad liquor into a pint pot. That is what they are endeavouring to do now. My right hon. Friend from Wales, who is Chairman of the microcosm to which the Bill is to be referred, has stated distinctly that it cannot come before the Grand Committee for a fortnight, and that it would take three weeks before the discussion could be completed. But the First Lord does not accept the view held by the Chairman of the Committee. All I may say is, that if the Bill passes the Grand Committee and comes back to the House in the first week in August, all these Amendments will be brought up again, as he has been warned by hon. Members sitting on this side of the House, upon the Report stage, and no time will have been saved by referring the Bill to Committee. I think the Bill might be carried if the right hon. Gentleman were simply to take it in Committee of this House. He knows that it is not intended to offer any factious opposition to it, and those hon. Members who have expressed themselves as opposed to it on principle know that they are in a minority and are not likely to press their opposition to an extreme point. This is in no sense a Party Bill, because I believe the majority of hon. Members sitting on this side of the House are in favour of it. I appeal to the right hon. Gentleman whether it would not be wiser to take this Bill in Committee of the whole House rather than send it upstairs.

(6.11.) MR. J. ROWLANDS (Finsbury, E.): I am anxious that this Bill should become law, but I think if it is resolved to refer it to the Grand Committee it will endanger its passing, because some of the points on which there are differences of opinion will necessarily have to be threshed out in this House, and the Government will not have forwarded the consideration of the Bill by sending it to the Grand Committee. I believe that nine-tenths of the Members of this House are anxious to aid in passing the measure; and if the right hon. Gentleman will but make up his mind to put it down for discussion immediately after the Irish Votes have been disposed of, I do not think he need fear any danger of its not passing into law. I may add that the Members for the Metropolis have their own views as to how far the Metropolitan Clauses of the Bill require amendment, and we are anxious, of course, to get to the discussion of those clauses. Before the Grand Committee can deal with the Bill they have two other Bills to dispose of, the one affecting the housing of the working classes, and the other—a very large and important measure—the Consolidation Bill. We should have been anxious to have laid the Metropolitan Clauses before a Select Committee if power had been given to call officers to give evidence with regard to the grievances under which the Force is suffering, because we were desirous that those grievances should be taken into consideration and dealt with in a manner that would be satisfactory to the whole Force. But if the Bill is not to go to a Committee of that description with power to take such evidence then we hold that it is simply a waste of time to send it to a Committee at all, and we prefer to thresh the whole thing out in a Committee of this House. In conclusion, I can only say that if the Government decline to accept our proposition, I re-echo in an humble manner the words of the right hon. Gentleman the Member for Derby, that the whole responsibility with regard to the Bill rests with the Government, and if it fails to pass through the House this Session they alone are to blame.

*(6.15.) MR. CAUSTON (Southwark, W.): Hon. Members have great reason, I think, to be dissatisfied with the action of Her Majesty's Government. The Bill was read a second time without much discussion, for the simple reason that the Government, in answer to the appeal of my right hon. Friend the Member for Derby, agreed that it should be dealt with in Committee of the whole House, instead of by a Select Committee, as proposed by the Government. We, therefore, thought that we should at least have an opportunity of ventilating grievances before the Committee. So far as London is concerned, hon. Members on this side of the House representing London constituencies desired that the Bill should go to a Select Committee, in order that the police might have an opportunity of themselves stating their grievances, but now as a third alteration of the plan of the Government, we are told that the Bill must go to a Grand Committee. I can only say that we shall deem it our duty to raise questions upon the Report stage, and the Government must expect that a great many details will be gone into.

Question put, and agreed to.

Order for Committee read, and discharged; Bill committed to the Standing Committee on Law, &c.

POLICE (SCOTLAND) BILL.—(No. 353.)

[ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on the Main Question proposed [1st July], "That the Bill be committed to a Select Committee."

Question again proposed.

(6.17.) MR. HUNTER (Aberdeen, N.): I wish to ask the First Lord of the Treasury whether the names of the Committee will be put down in time to enable Members from Scotland to propose additional names, if found necessary?

*(6.18.) MR. W. H. SMITH: The names will be put down in good time, and, when decided upon, communication will be made to the hon. Gentleman.

(6.19.) MR. EDMUND ROBERTSON (Dundee): All that has been said in opposition to the Motion on the English Bill is applicable with ten-fold more force in the case of the present Bill, because what the Government propose to do is to refer the measure not to a Grand Committee, but to a Select Committee. The consequence is that we shall not be able to take the Report of the Select

Committee on Report stage here, and it will have to go through the Committee stage of the Whole House, so that the Government will really gain no time by adopting this course. Speaking for myself, and hon. Members who think with me, I shall not be influenced in the slightest degree by the Report of the Select Committee, and I shall oppose this Bill at every possible stage.

Question put, and agreed to.

Bill committed to a Select Committee.

MR. HUNTER: I now beg to move the following Instruction:—

"That it be an Instruction to the Select Committee on the Police (Scotland) Bill that they shall have power to establish a Board consisting partly of representatives elected by the police and partly of one or more persons appointed by the Secretary for Scotland, and that such Board shall have, subject to the Secretary for Scotland, the management of all moneys provided by Parliament, or obtained from other sources, for the purpose of providing pensions, gratuities, and allowances for the police constables of Scotland and their widows and children."

The reason why I think it necessary to move this Instruction lies in two facts. In the first place I am opposed to the Bill because it imposes an indefinite but large liability on the ratepayers of Scotland, in order to find money for the pensions of the police. I warn the Lord Advocate that he will not carry this clause easily. I believe the feeling among the Scotch Members is totally opposed to this additional charge being placed upon the rates, for the maintenance or superannuation of the police. The proposal of the Government in this Bill is an interference with the Local Authorities, for it is just the same as saying to those authorities—"You shall not be at liberty to frame your own contracts, but must accept the provisions arranged by the Government." Now, that is a most objectionable feature of the scheme. On what ground do the Government justify that enormous inroad on the rights of the Local Authorities? I believe the bulk of the working men in Scotland will take a very strong view indeed of the gross injustice of taxing them for the purpose of providing pensions for the police, on such a scale as this Bill proposes. What does the Lord Advocate say? That the tax is only going to be 1d. in the £1. Why, that was the sum fixed for the Public Library Acts, and we all know what an amount of agitation and education it took before the working classes were induced to incur that additional charge, for an Act which was specially devised for their own benefit. There is another reason which makes it most unjust to impose this charge upon the ratepayers. Everybody knows that the Police Rate under the general Act was an occupier's rate. The Poor Rate and the School Board Rate are very fairly divided between the owners and occupiers, but this fair arrangement does not apply to the Police Rate. The consequence will be that the working men will have to pay twice as much for this 1d. in the £1 for the Police Rate as they would if it had been put upon the Poor Rate. The Government are giving to the police a sum the capitalised value of which is £1,750,000 for 4,042 men. That is a munificent sum; and I wish to point out that if this clause is lost in the Committee, where I believe it will meet with the most determined opposition, the Government will find extreme difficulty in carrying out the remainder of the Bill. I mention this in view of some alternative scheme being forthcoming. My main reason for proposing the Instruction is that it is only by a device of that kind we can effectually protect the ratepayers from any charge for the superannuation of the police. What has been the result of your Bill which affects the London police? Why, at this moment the police of London are engaged in secret and almost concealed agitation, with a view to bringing pressure to bear on the Government to make concessions which will be satisfactory to them. In regard to the Scotch police, I may point out that nearly the whole of them under the terms of their engagement have no right to a pension, and, therefore, the proposal of the Government is absolutely gratuitous.

Motion made, and Question proposed,

"That it be an Instruction to the Select Committee on the Police (Scotland) Bill, that they shall have power to establish a Board consisting partly of Representatives elected by the police and partly of one or more persons appointed by the Secretary of Scotland, and that such Board shall have, subject to the Secretary for Scotland, the management of all moneys provided by Parliament or obtained from other sources for

the purpose of providing pensions, gratuities, and allowances for the police constables of Scotland and their widows and children."—(*Mr. Hunter.*)

*(6.30.) COLONEL MALCOLM (Argyllshire): I regard this proposal as involving an inroad on the power of the Local Authority, and the taxing of the ratepayers without representation. I do not see how the Board the hon. Member proposes can in any way represent the ratepayers or carry on the principle he is anxious to establish. I am myself very much opposed to centralisation in Scotland, and I think that with a few alterations the provisions of this Bill would enable the object in view to be carried out by the Local Authorities very much better than would be possible in the case of any Central Board, however composed. Under this Instruction there is no provision for the proper representation of the ratepayers, whereas it is my opinion that all management of the sort proposed should be in the hands of the Local Authorities, which must be better acquainted with the needs and wants of their own districts than any central body. Beyond this the Local Authority would be able to use the power of granting pensions as a means of encouraging better discipline. I think that no one who has listened to the speech of the right hon. Gentleman the Member for Wolverhampton could want any further argument against this Instruction. The right hon. Gentleman pointed out very clearly the advantages of leaving, as far as possible, the management of the police to the Local Authorities, and for my part, having had considerable experience in the management of police affairs, I must object most strongly to the idea which under-runs this Instruction.

*(6.34.) MR. ESSLEMONT (Aberdeen, E.): As far as the argument just addressed to the Committee by the hon. Member for Argyllshire is concerned I think that the hon. Gentleman has entirely missed the point of the Instruction. I am one of those who believe that the £40,000 proposed to be given by the Government would be sufficient for the purpose proposed, and it is because I believe it will be inexpedient, under present circumstances, to revert to local funds, and that the Scottish people would not bear any further tax for police superannuation purposes, that I think the Instruction moved by my hon. Friend might be accepted. I am not prepared to say that after it has been discussed by the Committee the Bill of the Government will not prevail. It says "may" and not "shall," and I would submit to the Lord Advocate that no harm can come from the adoption of the Instruction.

(6.37.) THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): As I have been appealed to it may be convenient that I should say at once that the Government cannot accept this Instruction. I go very largely on the ground stated by the hon. Member for Argyllshire. The essence of the Bill is that pensions are to be in the hands of the Local Authorities, and that the same Authority which furnishes the pay shall also furnish the pensions for the Police Force. I cannot help thinking that the House would impose on the Committee—or rather, would authorise by the Committee—a line of inquiry which would turn out to be hopelessly irreconcilable with the rest of the scheme. The hon. Gentleman, by his Instruction, proposes to do things which, on the face of them, are sufficiently startling. For instance, he proposes to set up a Central Board, partly elected and partly nominated by the Government, for the administration of money voted by Parliament. That is a proposal of a somewhat novel kind. On one hand, the elected Members would represent neither the taxpayers nor the ratepayers, but merely the class who are to be the recipients of the Imperial Fund, and, on the other hand, the nominees of the Government would not represent neither the taxpayers or the ratepayers, or the Administrative Bodies whose duties would be affected by the proposal. Therefore, I say, the proposition is one which radically differs from the principle of the Bill, and I think it our duty frankly to say that we oppose it. I would point out to hon. Gentlemen opposite that there is also a very important principle involved in placing in the hands of the Local Administrative Body the disposal of the pensions. In the first place, it is quite clear that if you are to have an effective and discriminative pension system, you must have an Administrative Body to regulate the amount of the pension given

by the Bill, with due regard to the age of the pensioner's retirement; and, in the second place, if you are to have discretionary pensions at all, it is perfectly manifest that you cannot hand the money over to a Central Body, which knows nothing about the individuals with regard to whom the discretion is to be exercised. The more the subject is examined, the more, I feel assured, will my hon. Friend the Member for Argyllshire be held to be right on this point. The hon. Member for Aberdeen endeavoured to treat this as a question of whether there is to be a burden on the rates. When the time comes, hon. Gentlemen may, in Committee, challenge the clause which makes the rates a guarantee of the fund, but I do not think they will succeed. The hon. Gentleman said I had represented that the rate would not be 1d. in the £1 on the valuation roll of Scotland. What I did say was that according to certain actuarial calculations half a century hence, a rate of 1d. in the £1 might be needed, but that it would not be likely to be more. Further, I said there would not be any burden on the rates, according to the best information we could get, during nearly the present generation. I have thus stated the general grounds on which we are bound to oppose this Instruction, and I think it would be better to negative it than to add to the already wide field of inquiry which is open to the Committee.

(6.43.) MR. E. ROBERTSON: I agree that the observations made by the hon. Member for Aberdeen are not strictly applicable to the question before the Committee, although they would have been a valuable contribution to the Motion for the Second Reading of the Bill. I do not find in the Instruction the point that was raised by the hon. Member for East Aberdeenshire as to the discrimination between the contributions from the Imperial Exchequer and from the rates. From my point of view, which is one of entire hostility to the Bill, there is no difference between the two; but if there be any I should object more to the contribution from the Exchequer than to that from the rates. Well, Sir, my hon. Friend proposes, by his Instruction, to deal with all the money provided by Parliament, and from any other source, so as to put it into the hands of a special Board, which he desires to create, and that Board is to consist mainly of the representatives of those who will be the beneficiares under the Bill. This is a proposal in which I hope the Committee will not concur, and, although it has been said that the Instruction will not do much harm, I do not think it can do any good, and if I do not vote against it I certainly shall not vote for it.

Question put, and negatived.

COMPANIES (WINDING-UP) BILL.
(No. 283.)

As amended, considered.

(6.46.) SIR HORACE DAVEY (Stockton): My right hon. Friend the Member for Wolverhampton does not intend to move the new clause which stands in his name, and I beg to move an Amendment to Clause 1, which also stands in his name. With the permission of the House, I propose to move, on the part of my right hon. Friend, a new sub-section. I propose to strike out Sub-section 2 of Clause 1, and to move a new sub-section. The sub-section which I propose to move provides, in the first place, that wherever the paid-up capital of a company amounts to £10,000, that then the jurisdiction shall be in the High Court, or in the Palatine Courts of Lancaster and Durham; and wherever the paid-up capital of the company falls short of £10,000, in that case the jurisdiction will be in the County Court. With regard to the Stannary Courts, the clause reserves the jurisdiction of the Stannary Courts, except where a mining company is engaged in mining elsewhere than in the jurisdiction of the Stannary Courts. Now, Sir, these clauses have been seen by the right hon. Gentleman the President of the Board of Trade, and I have reason to believe that they are accepted by the Government. I have stated the effect of them, and I do not know that I need read them to the House.

Amendment proposed, in page 1, to omit Sub-section 2, and instead thereof, to insert the following:—

"(2.) Where the amount of the capital of a company paid up or credited as paid up exceeds ten thousand pounds, a petition to wind up the company or to continue the winding up of the company under the supervision of the court shall be presented to the High Court unless the registered office of the company is situate within

the jurisdiction of either of the palatine courts aforesaid, in which case the petition may be presented either to the High Court or to the palatine court within the jurisdiction of which the registered office of the company is situate.

"(3.) Where the amount of the capital of a company paid up or credited as paid up does not exceed ten thousand pounds, and the registered office of the company is situate within the jurisdiction of a county court having jurisdiction under this Act, a petition to wind up the company or to continue the winding up of the company under the supervision of the court shall be presented to that county court.

"(4.) Provided that where a company is formed for working mines within the Stannaries and it is not shown to be actually working mines beyond the limits of the Stannaries, or to be engaged in any other undertaking beyond those limits, or to have entered into a contract for such working or undertaking, a petition to wind up the company or to continue the winding up of the company under the supervision of the court shall be presented to the Stannaries court whatever may be the amount of the capital of the company and wherever the registered office of the company is situate."—(*Sir Horace Davey.*)

Amendment agreed to.

Other Amendments made.

Clause 5.

Amendment moved, in page 4, line 4, after the word "himself," insert "apply to the Court to."—(*Mr. Horace Davey.*)

Question proposed, "That those words be there inserted."

(7.2.) THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): The hon. and learned Gentleman will, I think, see that the words I propose, to carry out his suggestion, read better than those he has submitted. They are "may apply to the Court, and the Court may on such application" appoint a special manager thereof to act until another liquidator is appointed, &c.

SIR H. DAVEY: I accept those words.

Amendment, by leave, withdrawn.

Amendment agreed to, in page 4, line 4, after the word "himself" insert "may apply to the Court, and the Court may on such application."—(*The Attorney General.*)

Other Amendments agreed to.

SIR J. LUBBOCK (London University): I beg to move to omit Clause 11, the object of which is to provide that in any of these liquidations all the moneys are to be paid over to the Board of Trade, except under certain particular cases. The object of wise statesmanship ought always to be to cultivate principles of self-dependence, and cultivate principles of self-reliance, and not to teach the people to trust to the management of the Government. If this clause is passed it will take the conduct of their affairs out of the hands of those interested, and hand it over to the Board of Trade. I cannot help thinking that those who have their money and interest at stake in the winding up of these Companies will be much more likely to do the work efficiently than the Board of Trade. We do not wish to make attacks on the Board of Trade. We recognise the ability and skill with which the affairs of the Department are carried on, and it is not from want of confidence in them, or any fear that they would in any way neglect their duty, that we are anxious to retain in the hands of those interested the conduct of their own affairs. I trust the right hon. Gentleman the President of the Board of Trade will consent to the omission of the clause. I have no objection to the first sub-section, and will be quite satisfied to omit the others, if that would meet the views of the right hon. Baronet. I am afraid, however, he would not assent to this, and I, therefore, raise the whole question by moving to omit the clause.

Amendment moved, "To omit Clause 11."—(*Sir J. Lubbock.*)

Question proposed, "That Clause 11 stand part of the Bill."

*(7.18.) THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I hope the hon. Baronet will not press the Amendment. This clause to which he takes exception is one of a series of clauses which are practically identical with similar clauses in the Bankruptcy Act of 1883. Their object is not to make money out of the winding-up of Companies or bankruptcy proceedings, but rather to obtain such financial control in each case as will enable improper proceedings to be detected by the official whom the Bill sets up—as the Bankruptcy Act sets up an official in Bankruptcy cases. I venture to say that if these clauses were omitted from the Bill, a most important check over these proceedings would be lost—a check which would be of advantage to the

public and to the creditors and contributories of the company, and to everyone concerned. I should be happy to confer with my right hon. Friend (Sir J. Lubbock) as to the particular way in which the Bill may be improved on this point, but the effect of passing his Amendment would be to strike out of the Bill one of its most important provisions.

(7.20.) MR. MURDOCH (Reading): I hope the right hon. Gentleman will accept my right hon. Friend's offer.

SIR R. N. FOWLER (London): After the suggestion made by my right hon. Friend the President of the Board of Trade, I hope the right hon. Gentleman opposite will not press his Amendment.

*(7.21.) SIR J. LUBBOCK: I should be sorry to put the House to the trouble of a Division, for in the absence of most of the mercantile Members of the House, it is evident I should have the majority against me, and I will content myself, therefore, with making a protest against the adoption of the clause.

Question put, and agreed to.

Other Amendments made.

*(7.31.) SIR M. HICKS BEACH: I may say it is my intention, in place of Rule 13 in Schedule 1, to insert the rule agreed to by the Standing Committee in reference to the Schedule of the Bankruptcy Bill. That Bill, for some reason or other, has not been printed, and I have not been able to get the exact words. I will, however, undertake that the Amendment shall be inserted in "another place." The same will be the case with regard to the rule as to special proxies.

Several verbal Amendments agreed to.

(7.34.) SIR H. DAVEY: In reference to the next Amendment I have on the Paper, I understand the right hon. Gentleman (Sir M. Hicks Beach) to have given us a promise that the Schedule shall be made to accord as regards proxies with the Schedule agreed to by the Committee upstairs with reference to the Bankruptcy Bill. I confess I should have liked to see that Schedule in print before we parted with this Bill, but, on the assurance of the Government, I will not move my Amendment, and my hon. Friend the Member for Wolverhampton (Mr. H. H. Fowler) has authorised me to say he will not move his.

(7.35.) MR. WARMINGTON (Monmouth, W.): I should like to know why the decision of the Committee on this Bill is to be overruled by the decision of the Standing Committee on the Bankruptcy Bill?

*SIR M. HICKS BEACH: The fact is, that questions raised by the right hon. Gentleman opposite were not dealt with by the Committee on this Bill, and I do not think they were put forward as prominently before that Committee as before the Committee on the Bankruptcy Bill. Of course, there were Members of the Committee who, like the right hon. Gentleman the Member for London University (Sir J. Lubbock), wished to go further, and to insert an Amendment dealing generally with proxies. That was a proposal of so much importance, and calculated, in my opinion, to do so much harm, that I opposed it with all my power, and it was eventually negatived by the Committee. I do not propose in this Bill to go as far as that.

*(7.37.) SIR J. LUBBOCK: No doubt what has fallen from the right hon. Gentleman is quite accurate, but I think the House ought perhaps to know that the Grand Committee was evenly balanced on the question of special proxies, and I believe we should have carried the Amendment, but that the right hon. Gentleman the President of the Board of Trade stated that if we succeeded in doing so he should be compelled to oppose the Bill in the future, whereupon one or two Members uprose and said, while they sympathised with the Amendment, they would not take a course which would lead the right hon. Gentleman to oppose the Bill as a whole. In spite of this, the Committee was still divided equally, and the matter was only decided by the casting vote of the Chairman, who stated that he gave it so that the matter might be re-considered. I am not complaining in any way of the Government bringing the Bill on now, but it was not understood that the Bill would come on at the present time, and few of the mercantile

Members are present. We shall, however, have the same question before us on Wednesday on the Bankruptcy Bill, and if the House assents to the passage of the Bill now, I would ask the right hon. Gentleman to insert in the present Bill, in "another place," whatever words the House on Wednesday may introduce into the corresponding section of the Bankruptcy Bill.

*(7.40.) SIR M. HICKS BEACH: I quite accept what the right hon. Gentleman says, namely, that on Wednesday on the Bankruptcy Bill this matter may be fully discussed. Whatever decision the House may arrive at with regard to it, it certainly shall be embodied in the other Bill as well as in this.

(7.41.) MR. COZENS-HARDY (Norfolk, N.): I hope the right hon. Gentleman will allow the further consideration of the question to be adjourned until Wednesday.

*SIR M. HICKS BEACH: It could not be taken on Wednesday. It is essential, considering the character of this Bill, that it should as soon as possible go to another place.

*SIR J. LUBBOCK: I hope my hon. Friend will not press for an adjournment. It would serve no useful purpose to have two Debates on precisely the same question.

*(7.42.) MR. KIMBER (Wandsworth): The difficulty might perhaps be met by allowing the Third Reading to stand over till Thursday.

*SIR M. HICKS BEACH: I hope the House will read the Bill a third time to-day. I beg to move that.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Sir M. Hicks Beach.*)

(7.43.) SIR H. DAVEY: I wish to take this opportunity of thanking the right hon. Gentleman for the very fair way in which he has received the suggestions of hon. Members for amending the Bill.

MR. WARMINGTON: I must protest against the Third Reading of this Bill being taken now. The Grand Committee on Trade spent a day and a half on the consideration of that which, without a word, has been excluded from this Bill, namely, Sub-section 2 of Section 10. That was represented to us as the most important part of the Bill, and yet, without a word, it has been cut out.

(7.44.) SIR R. WEBSTER: Some time was spent in discussing the sub-section; but as the consideration of the Bill occupied eight or 10 days, it was not anything like a substantial part of the time. It having been pointed out that the sub-section only provided a different remedy, and it being doubtful whether it would be prudent to enlarge the remedy under the existing section of the Companies Act, it was thought better to omit the sub-section than to jeopardise the Bill.

(7.45.) MR. W. P. SINCLAIR (Falkirk, &c.): Will the right hon. Gentleman the President of the Board of Trade take care to see that we have on Monday a reprint of the Bankruptcy Bill? We have been placed in a very awkward position this evening for want of it.

*SIR M. HICKS BEACH: I shall be delighted to forward that matter in any way in my power. Of course, it does not rest with me, but with those great authorities—the printers.

Question put, and agreed to.

Bill read the third time, and passed.

SUPPLY—ARMY ESTIMATES.

Considered in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That a sum, not exceeding £258,400, be granted to Her Majesty, to defray the Charge for the Salaries and Miscellaneous Charges of the War Office, which will come in course of payment during the year ending on the 31st day of March 1891."

(7.47.) SIR G. TREVELYAN (Glasgow, Bridgeton): I want to say one or two words about the speech of the right hon. Gentleman the Secretary for War yesterday. I do not propose to speak except with extreme brevity, or to go into the Report of the Commission, presided over by the noble Marquess (Lord Hartington). I prefer, as this is an extremely practical matter, to apply myself to the practical business that is before the House, namely, that part of the Report that has been adopted by the Secretary of State and the alterations that have been proposed. As far as I can see, the right hon. Gentleman has proposed to make two very important alterations in the organisation of the War

Office, and I most gladly testify that they are both of them—one of them being very important—steps in the right direction. I have no desire to say anything on the subject of the abolition of the office of Commander-in-Chief or as to whether the office of that high functionary ought to be continued or not, because I understand that the Secretary of State has postponed the consideration of that question entirely on personal grounds, to which I need not refer; and the right hon. Gentleman has stated that when that question comes before the House, if the present Government are that time in Office, he will then state what are the opinions of the Government with regard to the recommendations of the Commission. When that time arrives I shall express my opinion on the point, and it will be the same as that which I expressed 20 years ago, namely, that the appointment to the office of Commander-in-Chief should be for five years only. At present, however, I wish to express no opinion on the subject. The recommendations of the Secretary of State are three. In the first place, in obedience to the recommendations of the Commission, the right hon. Gentleman proposes to adopt the idea of having a Council of War within the Cabinet. I must say I very much prefer the practical proposal of the Secretary of State on this point to the proposal, as far as I can gather it, of the Commission. Every one who knows from actual experience, or can guess from analogy derived from outside, how matters are conducted in the Cabinet, must know that a Council of War must always exist in the Cabinet if war is in prospect or is being actually waged, and that in a well-ordered Cabinet that Council must consist of the high officials in charge of the Army, the Navy, and the colonies, and also of every other Cabinet Minister who has any special aptitude for the direction of military operations. I think it a matter of great importance that no one else should have a right to sit upon that Council and to advise the Cabinet It would be a most unfortunate thing if military or naval men, however eminent, were to sit on the Council as a matter of right. The greatest military man of this century was not ashamed to always consider it the highest honour to be called upon to give his opinion to the Cabinet in reference to military matters. The most glorious war we were ever engaged in was carried on successfully under those conditions, when Lord Chatham used freely to ask for the opinions of emiment military men. If the Government intend to adopt a similar course, I think that they will be giving effect to just as much of the recommendation of the Commission on this point as they ought to do. I now come to deal with two other propositions which have been made by the right hon. Gentleman. First of all, he proposes to have a somewhat more systematised and authoritative Council of War. In this, and in other proposals, the right hon. Gentleman has paid a very great tribute to the manner in which the Admiralty has been governed for some generations continuously in this country, it having been governed under a system to which, I believe, we owe the admirable condition in which the British Navy has been maintained for a number of years, and the immense and almost continuous success it has enjoyed. That system requires that there shall be a certain number of eminent professional men, each of whom is responsible for some particular work at the Admiralty, who shall meet at certain stated times for the purpose of freely interchanging their ideas, and thus keep in touch and in mutual confidence with each other. That I understand to be exactly the proposal of the Government with regard to the suggested Council of War. I now come to the last of the suggestions of the right hon. Gentleman, which I believe to be of very vast importance. The very essence of a well-ordered Service is that promotion shall be properly regulated. It was in order to regain the right of regulating promotion in the Army that the country paid £7,000,000 sterling for the abolition of purchase. The question then was, What was the best system of promotion to adopt, so as to insure that our Forces were commanded by the best men? The system that has prevailed in the Admiralty is that the First Lord of the Admiralty is surrounded by three, four, or five experienced officers, who have served all over the world, and who have watched young men growing up around them, who no doubt have their *protégés*, but who, by consulting together and exchanging opinions, are prevented

from giving too much advantage even to *protégés*. I am now about to say something which, perhaps, may be considered somewhat rude, but I find that Admiralty promotion is conducted in this way. I find that when a great number of promotions are going to be made the political and civil members of the Board are prepared with a certain number of names for promotion. Amongst those names are, I suppose, a number which were put upon the list from a feeling in favour of the relatives of those members of the Board. ["Oh!"] Let hon. Members permit me to finish my story before they cry "Oh." Then the Naval Lords of the Admiralty have each his own list of names for promotion. The whole body then consult together, and, in the end, the names are cut out of the list of all those who have not earned their promotion fairly and honourably by service. The result is that no inefficient person is promoted, and no efficient man is passed over for long. I believe from the speech of the right hon. Gentleman that he has endeavoured to provide a Board of that nature at the War Office. Such a Board already exists, but the right hon. Gentleman sees what immense issues will depend upon its decisions, and has determined that it shall be thoroughly efficient. He hopes its decisions will be authoritative, and, as far as possible, final. If the right hon. Gentleman makes his Board large enough and able enough, and, above all, if he takes care that neither he, nor any one else, shall correct the decisions of the Board, except upon evidence which is of immense importance, then I believe that the principle which General Trochu called the corner-stone of an army will be established in our own Army—namely, that the right man shall be in the right place.

*(8.0.) GENERAL SIR E. B. HAMLEY (Birkenhead): The chief value of this Report, and I estimate it very highly, is that, in view of a most important change that may occur at any time in the administration of the Army, it endeavours to provide a military system which shall be suited to the needs of the time. I need not remind the House that for generations we have been lamenting the cumbersome, inefficient character of our military system. It has never satisfied, or come near satisfying, the House, or the public, or the Army. There has never occurred a crisis in our military affairs without the exposure of a breakdown in our military system, most wasteful in men, money, and material. Now, for the first time since we have had a War Office we have had an opportunity offered to us by the Report of putting this right—of establishing a system which shall work well and put our military affairs on a sound basis. If we neglect this we shall deserve any military misfortune which may happen to us in the future, and I doubt not that all the evils we have so long laboured under will be perpetuated and intensified. Now, I do not pretend to think that the Report can be adopted as it stands. The Commission itself did not, I imagine, expect that. But it contains excellent materials on which a sound system may be established, and I will endeavour to point out in what particulars it may be accepted, and in what it may be advantageously modified. And I will deal mainly with the Report itself, for the departure from it which has been formulated in the statement of the Secretary for War, and which the Government reserves to itself to decide on, would leave out so essential a condition that, without it, the scheme will fall to pieces, and we shall have little left to consider or to found new schemes on. The most important proposals for reform in the Report are those which deal with the military part of the system, and its relation to the Parliamentary chief. Prominent among the defects of that part of the system is said to be the excessive accumulation of power and responsibility in a single official—the Commander-in-Chief—on whom, the Report says, the whole executive command, administration, and supply of the Army now devolves, besides the duties formerly those of the Surveyor General of the Ordnance. After detailing these duties, the Report draws attention to the immense range of subjects, all large and onerous, here brought together, and the extremely various ability which alone could deal with them. And it is not merely intellectual power; other qualities are needed—practical ability, experience, the faculty of keeping touch with the time; and also, in these days, when science has so much to do with war,

when Von Moltke has shown us what effect a scientific chief can exercise, it is necessary that large and diverse military scientific knowledge should enter into the control of the Army. It is vain to expect to find all these qualifications united in one person. Therefore, supposing the recommendation of the Committee to take effect, and the work to be placed in the hands of several military officials, properly chosen, these functions would, by being divided and distributed, be infinitely better performed than is possible when they are concentrated in a single chief, even if he should possess the rarest acquisitions and endowments. Can it be doubted that this division of duties among several able men is a most essential step for those interests which we are engaged in considering—the interests of the Army and the country? But this is the very proposal which we learn may, perhaps, not be adopted. The Report proceeds to consider how the duties of administration should be re-assigned—

> "On the occurrence of a vacancy in the office of a Commander-in-Chief or on any favourable opportunity."

It proposes to create a chief of the staff, whose duties shall be to prepare plans of military operations, collect information, and advise on matters of organisation and the preparation of the Army for war. His Department is to include the present Intelligence Department, which deals with the collection of information and the defence of the Empire outside the United Kingdom, and such part of the Adjutant General's business as deals with the mobilisation of troops and the interior defence of the Kingdom. His Department will be, in fact, the culmination of the military system—the preparation of the Army for war, and the defence of the Kingdom and the Empire; what are these but the very end and object of all branches of military administration? and if they do not each and all bear their part in it they have no meaning whatever. Therefore, that such a Department should be formed and placed under a qualified officer is a matter of urgent necessity. That this officer should superintend the duty of collecting information, of preparing and revising general schemes of defence, and possible plans of action, and deal with questions of military policy, and make an annual Report of our military requirements—all these duties which are assigned to him in the Report may be regarded with complete approval. But there is another duty attributed to him, which is much more questionable—he is to advise the Secretary of State on all matters of general military policy, and other important questions. To this I venture altogether to demur, for this would place a single individual behind the Secretary of State, the one wire-puller, whom it would be very difficult to make amenable to public criticism; and, moreover, our military policy would be controlled to an unknown extent by the views and opinions of one particular person, whether they happened to be sound or unsound. Now, I venture to say that there is no sort of administration more open to objection than that which makes an official personage, like a civilian Secretary for War, responsible for measures which he admittedly does not possess the experience to enable him to devise for himself, and who depends on inspiration received from another person in the background. It is evident that this person in the background would possess more influence, and use it more freely, than if he stood forward as a recognised adviser, responsible not only to the Minister, but to the public, for his own counsels. The Army ought not to be governed from the background. This, then, would form a most serious objection. But, happily, the Report contains another provision which could be so applied as exactly to meet the difficulty. For it proposes that there should be a War Office Council presided over by the Secretary for War, the first military member of which is to be the Chief of the Staff; the other military members being the Adjutant General, the Quartermaster General, the Director of Artillery, and the Director of Fortifications. But these officers are the very persons who would form a Council exactly fitted to deal with the matters which are specially assigned to the Department of the Chief of the Staff. I would suggest, therefore, that it should be part of the duties of this Council to deal with those matters. The initiation of measures in his own Department would, of course, rest with the Chief of the Staff; and when he desired to bring

forward a measure, it would be for him to describe it to the Council, to give them necessary information on which to form a judgment, and to set forth his own view of it. It would then be discussed, and the proceedings and opinions recorded. After that it would be perfectly right and expedient that the Chief of the Staff should, apart from the Council, give advice to the Secretary for War in the form of necessary explanation and comment, when, if his views were at variance with those already expressed in Council by others, reference might be made to these, or, in case of serious difference, the Council might again be brought together. In this way the Chief of the Staff would no longer be that most objectionable person, an adviser in the background, but would be the public and recognised adviser, as the chief military member of the Council and exponent of its views. Here, then, we should at last have what we have so long been vainly seeking—the means of giving to the Secretary for War the best military advice obtainable in the most responsible and unimpeachable form, always provided it were accompanied by one most essential modification, to which I will now advert, and which is in some measure anticipated by the decision of the Government—that promotion should be placed in the hands of a Board. Now, this proposal I would modify in two ways. I would propose to place the recommendation, not only for promotion, but also for appointments, honours, and rewards, in the hands of a Board of officers, who should be absolutely independent. And to insure their independence they should be beyond the sphere of favour, having nothing to hope for, nothing to apprehend. To that end they should be retired officers. They must also be men of well-known character for fairness, of considerable experience, and of recognised ability. I could, at this moment, name more than one retired officer who would be very generally recognised, in and out of the Service, as to be depended on as a member of such a Board. And I would ask the Committee to consider what an inestimable advantage it would be to the Army that its members should feel that their destinies were in the hands of such a body. How different this from having to submit to an irresponsible decree inspired by we do not know what! And what an advantage it would be to the nation that its military servants shall neither be pushed forward nor suppressed except for reasons not only avowable, but arrived at upon due impartial inquiry and in the face of the world! Now, I said that the future Adjutant General is to be a member of this War Office Council; the second military member. But this is the officer who, according to the Report, is to have the patronage of the Army. Does anyone suppose that, in that case, he would be the second military member? He would (if he so desired it, and were a self-assertive man) be the first—very far the first. But deprive him of the patronage by placing it under a Board, and he would fall into his proper place and exercise only that weight in Council which may fairly be due to his knowledge and ability. I now come to a passage in the Report, a very unobtrusive passage, easily escaping particular notice, which I view with great satisfaction, where it is said—

"That the proceedings and decisions of the War Office Council should be formally recorded."

Recorded, and therefore, I presume, accessible, and capable of being subjected, if need be, to inquiry. Here, then, we should have a pledge that what I have so often ventured to descant upon as a necessity of the time would be accomplished—that our military business should not be transacted in secret conclave, but by persons known to all the world, and justly possessing confidence. Here, again, what an immense improvement this would be in our system! How often has the right hon. Gentleman, in laying some proposal before the House, told us that he did so after consulting his military advisers, and how often has the result left him but too much reason to doubt the wisdom of those mysterious oracles? But in dealing with the proposed Council, he would receive from his recognised advisers opinions not hasty, partial, or prejudiced, but matured and tested, and delivered under the sense that they will be recorded, and, if necessary, scrutinised. Under such conditions, the proposals which a Secretary for War may bring forward will be entitled to a degree of respect which can never attach to the secret inspirations of unknown advisers—

no, these can only awaken distrust. Now there is one point in the Report which does not seem to have been quite appreciated by the Commission, and which has received from them only a partial recognition. It is this—after measures shall have been finally decided on by the Secretary for War, with the advice of the Council, there must be an executive officer to put them in practice; and the question is, Who should he be? Should he be one of those who are members of the Council, or a separate officer? Now, it will be observed that a certain part of the executive duties is provided for in the Report. It proposes that there should be a "general officer commanding the forces in Great Britain," who should perform the executive duties of the command and inspection of troops in Great Britain. But I know not why his functions should be thus limited. Why should not the functions of this officer be exactly commensurate with the functions of command which are now exercised by the Commander-in-Chief, extending so far as at present outside Great Britain, and including not only routine ordres, but those necessary to give effect to measures newly decided on in the War Office Council? This would of itself form a large amount of business; it should not, therefore, I think, be given to an ordinary member of the Council, because it would be too great an addition to his duties, and because it would make him much too superior in importance to the rest. He should, therefore, be a separate functionary, and his title might be General Officer commanding the Forces. As he would be able to give valuable and necessary information to the Council, especially as to whether measures proposed by them would be feasible with the means at his disposal, he should be a member of the Council; but as he would represent no Department and ought not, in the absence of the President, to preside over those who did, he should be an extraordinary member, when his position would exactly correspond to that of the Commander-in-Chief in India on the Governor General's Council, to which Council, indeed, this that we are discussing would be in many respects analogous. I have now endeavoured to set before the Committee a broad and general scheme easy to understand, and which, I believe, would thoroughly answer our purpose. It will be seen that I have dealt only with that part of the Report relating to the division of the duties of Commander-in-Chief among various officers, and the formation of those officers into a Council to advise and assist the Secretary for War. It is said in some quarters that the Report has fallen flat on the public. It may be so; but why? Because it cannot be supposed that many members of the public or of this House are able to give the time or have the technical knowledge necessary to examine the mass of details in this Report or to arrive at an appreciation of its value. Now, I hope the present discussion will supply this knowledge, that it will cause the House and the people to understand thoroughly that we have come to a crisis in our military affairs, and how vitally important that crisis is. If the Government should seek to evade the true bearings of this great question, they will incur the gravest responsibility. I trust that the House and the country will resolutely take the matter in hand, thoroughly inquire into it, and press it to a right conclusion. If we neglect this, if we suffer this opportunity which has come to us so unexpectedly, out of the clouds as it were, to slip, then, whatever we may have to lament in military enterprises of the future, extravagant expenditure, failure of men and supplies, the collapse of our military establishments, or even graver disasters, and the consequent decline of England in the scale of nations—we shall have only ourselves to thank for it. (8.30.)

(9.0.) SIR E. REED (Cardiff): The object I have in view is to call attention to what appears to me to be a singular oversight in regard to the first recommendation contained in the preliminary Report of the Royal Commission. That Royal Commission, among other things, and, indeed, before any other thing, dealt with the question of the mutual relation and the co-operation of the Army and Navy. They state in several paragraphs

that great deficiencies exist in that respect in our present system, and they point out that no combined plan of operations for the defence of the Empire in any given contingency has ever been worked out or decided upon by the two Departments. They state that there does not appear to exist sufficient provision for the consideration by either Service of the wants of the other, and, after making other statements of a similar character, they go on to speak of the remedy for this unsatisfactory and dangerous condition of affairs. Now, Sir, when it is found by a Member of this House, who feels some interest in, and some concern for, the well-being of the country that such a Commission as this—a Commission which the Minister for War last night extolled in the highest terms, and certainly did not extol too highly—I say that when such a Commission as this points out that this country is in an unsatisfactory and dangerous condition from the want of the means of co-operation between the Army and Navy, it is very natural that we should give our closest attention to the consequences to be anticipated from such a conclusion. After reviewing certain proposals which had been made before, and had been laid before the Commission for correcting this state of things, to which I will make no further reference at this moment, the Royal Commission go on to make one, and only one, important recommendation expressly designed to remedy the dangers they point out, and the remarkable thing about it is that when one reads paragraph 20 of the preliminary Report of the Commission, and then, in the light of that paragraph, listens to a speech such as that made by the Secretary for War last night, and the speech of the right hon. Gentleman the Member for the Bridgeton Division of Glasgow to-night, he will find the total absence of every indication of the nature of the recommendation of the Royal Commission being, to the last degree, understood or appreciated. In the first place, the Secretary for War passed over altogether the first half of paragraph 20, and took no account of it at all. I am bound to say that the right hon. Gentleman has a slight and shadowy justification for this course, because the Royal Commissioners themselves, although adverting to the grave question, spoke of it only as one which the Council recommend they ought to consider. The Secretary for War went on to deal with the second part of that paragraph, but only did so in part. He referred to the unsettled questions which exist between the different Departments of the War Office, and before I deal with the conclusion which the Government appear to have drawn on this subject and the decision they appear to have come to regarding this recommendation, I will refer to what the Royal Commission originally proposed. And I think the Committee will see that no kind of recognition has been given to what the Royal Commission did actually recommend. The right hon. Gentleman the Member for Bridgeton spoke of the Council within the Cabinet as if it were a Council of War, and he had no difficulty, as no one else would have, in suggesting that a Council of War of the highest class should be a Cabinet Council. But a Council of War was not at all contemplated, and certainly nothing was said about a Council of War, in the recommendations of the Royal Commission. They first speak of the constitution of the Council which they recommend. It is to be a Council presided over by the Prime Minister, and to consist of the Parliamentary heads of the two Services, with their professional advisers. They go on to state, and I do not consider it to be a very wise opinion, that in this Council might also be included one or two officers of great reputation and experience, who might not happen to hold official appointments either at the Admiralty or at the War Office for the time being. On that point I am bound to say I

agree entirely with the Government in dropping that part of the recommendation. I think that, looking at the constitution of the great Services of the country, it would be a very doubtful thing indeed to import into a Council of this character outside persons, not holding office, and therefore not bearing the responsibility which rests on public officers. But, leaving out of consideration these outside persons, and taking the Council as being constituted, the Committee will observe that the Council proposed by the Royal Commission is eminently adapted for the purposes to which it is proposed it should be applied. Now, what are these purposes? They are first that of reviewing the naval and military Estimates of the year, examining and ascertaining whether the proper relations exist between the Estimates of the two Departments with a view to the efficient service of the coming year, and advising the Government upon these Estimates before they go to the Cabinet. This is obviously a piece of work lying wholly below the level of Cabinet work. The next thing the Council is to do is to consider and authoritatively decide unsettled questions between the two Departments. Its third duty would be to decide as to any matters of joint naval and military policy. It must be obvious to the Committee that not one of these objects has anything whatever to do with the work of the Cabinet, except in a very subordinate manner. The object is to get both the Ministers of the Army and Navy, with their professional heads of Departments, to come together, and consider whether the proposed Estimates for the year have due regard to the relations between the two Departments, and to deal with any unsettled questions in connection with them; also to consider any questions of general or joint policy which might require to be dealt with. That is the recommendation of the Royal Commission, and I am bound to say that to me it seems to be a very wise recommendation indeed, and one which, if adopted by the Government, would lead to great public good. At present this House when in Committee of Supply has no guarantee that sufficient care has been taken to suitably distribute the expenditure as between the Army and Navy. The manifest object of the Commission was that before the Estimates went up to the Cabinet and the Government became committed to them, not only the two Ministers, but their chief professional advisers, should meet together to make suggestions, leaving, of course, untouched the responsibility of the two Ministers themselves, and not at all compromising or interfering with the Cabinet authority, because those Estimates are not to be sent to the Cabinet until after the proposed consultation and revision has taken place. Well, Sir, how do the Government deal with this proposal? I do not know what my right hon. Friends on this Bench may think about the matter, and of course the Committee will perfectly understand that anything I may say on the subject is said purely on my own personal responsibility, and that I have no authority whatever to speak on behalf of my friends on this Bench. I claim, however, the right of one who is deeply interested in the Public Service of the country to consider what effect the Government have given to this wise and valuable recommendation. In the first place, the Secretary for War has dropped out of consideration the primary question of the revision of the Estimates before sending them to the Government. Having done that he went on to say that with regard to the other questions, namely, the unsettled questions remaining as between the two Departments and also the question of joint policy, he did not think the Royal Commission had taken a sufficiently broad ground. He said that upon such a Council the Colonial Office, the India Office, and the Foreign Office might have to be represented, and because, under certain contingencies and for certain purposes, all those Departments might have to be represented on the Council, he threw overboard altogether the recommendation of the Commission concerning the bringing together of these two great Departments. The right hon. Gentleman did not say in explicit terms, but he implied it, that as far as the Government were concerned they would take no steps even on the advice of this friendly Commission to bring the Army and Navy into closer relations, unless in a method which will bring the Colonial, the India, and the Foreign Office into

consort with them. I know not what may be thought by others on this point, but the position taken up by the Secretary for War seems to me to strike a fatal blow to the Council recommended by the Royal Commission under head A of their Report. At this point I would refer to what the Royal Commission say their object was—to remedy what they regarded as an unsatisfactory and dangerous condition of affairs. To remedy this unsatisfactory condition of affairs, they say that the Army and Navy should be brought closer together. The Government say now that the Army and Navy shall not be brought closer together. The Secretary for War does not deny the dangerous state of things, and, therefore, admitting that they exist, he says no remedy shall be applied by the closer bringing together of the Army and Navy. Look at the next step the Government take. They say—"Well, but if we have the Admiralty, the War, Colonial, Foreign, and India Offices represented on the Council, everyone of those Departments is already represented in the Cabinet, and all you have got to do is to put the Prime Minister in the chair, to remove the other Cabinet Ministers around him, and there you have the Council of the Royal Commission." That was the position assumed by the Secretary of State last night. It seems to me to distinctly overthrow the recommendation of the Royal Commission, that before the Estimates reach the Cabinet they shall be considered by professional officers of both the Army and Navy. If the Committee will consider what the proposal of the Government really means, they will see that it amounts to this. The Royal Commission recommended that these Estimates of the Services should be revised by a Council consisting of the First Lord of the Admiralty and the Secretary for War, and a Board which could consider questions between the Departments. That recommendation is thrown over, and a Committee of the Cabinet is chosen. Does it not come to this. You appoint a Royal Commission of the greatest authority. That Commission, among other questions, goes with the greatest fulness into the question of whether the Army and the Navy are sufficiently brought together for the safety of the country. That Royal Commission decides that for want of proper concert between the two Services the condition of affairs is unsatisfactory and dangerous. And they recommend the appointment of a Council, far different from a Committee of the Cabinet, which shall perform preliminary investigations before going to the Cabinet. The Government say: "No, you must take a few Members of the Cabinet and put them out of the door, and leave the rest to consider the matter." That is the outcome of the Government proposal. I ask the Secretary for War to say in what respect I misrepresent the case. In my humble opinion, it is a most unsatisfactory conclusion to the labours of the Royal Commission. I hope it will not be supposed for a single moment that I object to a Committee of the Cabinet taking into their consideration these naval and military matters. But I object to the positive recommendation of the Royal Commission being set aside and spoiled, and having substituted for it a proposal of very small value. How can it be suggested for a single moment that a Committee of the Cabinet can perform the work contemplated by the Royal Commission, and as set forth in paragraph 20 of the preliminary Report? Is it possible for such a Committee to ascertain, before sending the Estimates to the Cabinet, whether a proper relation has been set up between the charges for the Naval and Military Services of the country for the ensuing year? It is preposterous to suppose that a Committee of the Cabinet could go into that question in the manner contemplated by the Royal Commission. I think Members will agree that the recommendation of the Commission, if adopted, would have rendered services to the country which cannot be rendered by a Committee of the Cabinet. Valuable services will be rendered by that Committee, no doubt; but I think the country will be disposed to ask, "Is it true that there is an unsatisfactory and dangerous condition of affairs arising from the neglect of work which a Cabinet Committee could have done?" That is the inference to be drawn. I do not know why the Cabinet should suggest such a proposition as that. I do not believe there is any truth in the statement that the Cabinet have neglected

their work. But what I believe is that there is a want of proper concert between the Army and the Navy; it must be due to the fact that the heads of the Departments, and the Ministers themselves have not been sufficiently brought together. The Commission say—

"There does not appear to us to exist sufficient provision for the consideration by either Service of the wants of the other."

How are the Government going to meet that want? By adding to the Secretary of State for War and the First Lord of the Admiralty, the Colonial, Indian, and Foreign Ministers. How are they going to perform this operation? Why, Sir, they cannot touch this operation. They have no means of doing it. It is only by bringing professional heads and officers of the Services and Ministers into communication that the object can be accomplished. It appears to me as a technical man—I hope the Committee will forgive me if I speak somewhat in that capacity—that, owing to the enormous transformation in the Naval and Military Services due to the progress of mechanics and military engineering, you require co-operation not only between Ministers, heads of Departments, and officers of the Services, but between the Fleets and the Army. It is the idlest thing in the world for a set of politicians and officers to say, "We are so closely possessed of all the information that is necessary to regulate the Fleets and Army in these days that we do not want the advice and assistance of any engineer. We can do it off our own bat." That absurdity is one degree less than the absurdity of supposing that the Government could perform the operation which the Royal Commission desires to be discharged by a Council. I believe that paragraph 20 contains recommendations of the greatest value to the State, and that it has been completely ignored by the Government, who have substituted a proposal which is not in any satisfactory degree qualified to remove the unsatisfactory and dangerous state of things referred to by a most powerful Royal Commission. The Government have set at naught that recommendation. They have thrown aside the sole practical suggestion of the Royal Commission, which was designed to remedy this dangerous state of things.

(9.31.) COLONEL NOLAN (Galway, N.): A very definite recommendation has been made by the Royal Commission — and I may say that the Commission itself was a very important one, having upon it either three or four ex-Secretaries for War. The recommendation to which I refer was that there should be a Council, which should be composed of heads of Departments, and one or two leading Generals and Admirals. Such a Council would be of the greatest value, as I think it would lead to a healthy competition between the Admiralty and the War Office for money, which would mean efficient Estimates. For instance, if the Military Departments were spending too much money, the Naval Departments would take note of it, and draw attention to it, in the hope of getting some of the money for the Navy, and *vice versâ*. I think that suggestion an excellent one, and it could not but be extremely useful to have the heads of the various branches of both Services meeting together under proper control. But what is the proposal of Lord Salisbury and Her Majesty's Cabinet? It is a proposition which, if carried out, would effect an innovation in the Constitution. It should be borne in mind that such a Committee of the Cabinet as is proposed, can at present be appointed at the will of the Prime Minister, and I do not see that it is the business of the House of Commons, or of the public, to interfere with the matter in any way. As to the selection of the Departments to serve on the Committee, I do not think it is a very happy one. No doubt the Secretary for War and the First Lord of the Admiralty should be on such Committee. The Prime Minister should be on it, and, at the present moment, if you have the Prime Minister on a Committee, you cannot exclude from that Committee the

Foreign Secretary. But it seems to me that the Secretary of State for the Colonies, and the Secretary of State for India, have only a very indirect interest in the matter. The Secretary for India is directed by the Military Authorities in India. He would only appear in the Cabinet Committee as the Representative of the Commander-in-Chief in India, and would be unable to bring technical knowledge to bear on any subject under discussion. The same thing might be said in regard to the Secretary for the Colonies. The colonies of Australia, in case of necessity, would only be able to put some 3,000 or 4,000 men in the field, so that their military resources would hardly be sufficient to entitle the colonies to be represented on the Committee. It is a great change in the Constitution which is proposed. As the matter at present stands, every Member of the Cabinet is responsible for advising Her Majesty on subjects which are made Cabinet matters.

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I said most distinctly that the proposal of the Government was that the new arrangement should not take effect until it had been discussed by the Cabinet as a whole.

COLONEL NOLAN: Yes, but I would point out that if a Committee of the Cabinet is appointed, and a disaster occurs, Ministers will be relieved from the responsibility which they have hitherto borne. It certainly seems to me desirable to make the whole Cabinet responsible for any important step which may have to be taken, but the appointment of the Committee suggested by the Government will have an opposite effect. I will now pass on to my second point. Last night the Secretary of War made two proposals. One of them was that a Board of Officers should be appointed to regulate promotion in the Army. On the whole, I think that is an absolutely inevitable step since the country departed from the system of purchase. It becomes necessary that there should be some power of selection. The responsibility of making promotions is at present too heavy for those who have to bear it. The responsibility is too great to be in the hands of one man. The hon. Member for Birkenhead found fault with the constitution of the proposed Board, and suggested that it should be reinforced by having upon it some General Officers not associated with the War Office. That is, no doubt, a good suggestion. I do not say that all General Officers will be free from jobbery, but any Board which you may appoint will have to be closely watched by the House of Commons. Valuable and important appointments will have to be made, and every influence which London contains—Court, social, and political—will be brought to bear on those exercising patronage. The Board of Promotion, therefore, will have to be very narrowly watched. It would not do for a Minister, in defending the action of the Board, to get up and say, "Oh! but the Board has been appointed by the House of Commons." There is always an amount of influence brought to bear on these selections, and always a certain amount of jobbery, watch the matter as closely as you can. It will be the duty of the House to see that we get full value for our money. As this country gets more and more Democratic, we find that Conservative Members become more and more anxious to secure the control of the Army. They desire to have that control exclusively in the hands of the upper classes; therefore, it will be necessary to see that the Board is fairly constituted, and is not likely to go in favour of one particular class. I think care should be taken that no officer should be passed over by the Board without the reasons for passing him over being set forth. There is no use in getting the old stereotyped declaration that you do not wish to hurt the feelings of officers. The Board will have power to pass over officers, and if we be satisfied to give a Board such power, I certainly think that the grounds on which a man is passed over should be stated. The right hon. Gentleman has not stated how the Board of Promotion is to act.

Under the new rules the number of Generals is to be very greatly reduced, and in a very few years there will be very few more Generals than there are appointments in the Army. Is the Board to promote Generals to such a position that it will be inevitable that they will have a command in the field? The way in which Generals are appointed in the field is this: The Secretary for War is responsible for the appointment of command of an expedition or a force, and he appoints the Generals of Divisions on the recommendation of the Commander-in-Chief. Of course, this is a matter of the very greatest constitutional and political significance. At present the Secretary for War and the Cabinet bear responsibility for the success or failure of an expedition or a war. If, however, the Secretary for War is able to throw the onus of the choice of officers on any Board of Promotion, or on anyone else not responsible to the House of Commons, he will be able to say that the failure of an expedition is no fault of his. In my opinion, everything should be done by this country to prevent a minority entering into a great war without being ready to take the responsibility for it.

*MR. E. STANHOPE: There is no question that the Secretary of State will continue to have full responsibility.

COLONEL NOLAN: Then I understand that in the event of a campaign the choice of the General Officers will be left unaffected by any direct action on the part of the new authority. But what the right hon. Gentleman says does not altogether invalidate my argument, except as far as the Commanding General is concerned. With regard to the officers commanding divisions the Board of Promotion will have selected them, so that the choice of the Secretary for War will be considerably circumscribed, and, in the event of failure, he will be able to say, "There were only a certain number of Generals I could select from, and, consequently, I had very little choice." I do not find fault with the right hon. Gentleman, but I think the whole of the matter should be laid before the House of Commons before we sanction it. I have only to say a few words as to what the Government have not done. It seems to me they have not attempted to face the principal question that was laid before the Royal Commission, and on which the Commission reported. That question was how the Army should be managed after the present Commander-in-Chief ceased to hold the office. The Duke of Cambridge has created a position for himself—not perhaps a constitutional one. He has paid a considerable amount of respect for the House of Commons. It would be an extremely dangerous thing to put any man we do not thoroughly know, who may be a good General, but a man who may not have sufficient respect for the institutions of the country, in the position of Commander-in-Chief. I think it would be far better to confine that position as proposed by the Royal Commission. It would be well to follow the precedent of Continental countries, and have a Chief of the Staff. The Chief of the Staff would regulate the Staff and superintend the Intelligence Department; but the Government have entirely failed to pay any attention to this part of the Report of the Royal Commission. By having a Chief of the Staff to take charge of the Staff and Intelligence Department, by having a Board of Promotion, and an Adjutant General to attend to the Manufacturing Departments, you would cut up and divide the duties which are at present discharged by the Commander-in-Chief, and for which he is more or less nominally responsible. It is quite impossible to make the Commander-in-Chief responsible for all practical details. Again, there is a political aspect to the question. It is a most unconstitutional thing to have any man, unless he is absolutely the Sovereign, or next to the Sovereign—the Prince of Wales—Commander-in-Chief for 25 years. I am sorry to have trespassed so long on the time of the Committee; my only excuse for doing so is that the question is one of vast constitutional and military importance.

(10.3.) GENERAL GOLDSWORTHY (Hammersmith): I must congratulate the Government on adopting the course

they have, but I hope they will go a little further still for the good of the country in promoting harmonious action between the two Services. I do not agree with the proposal that the office of Commander-in-Chief should be abolished, but I think it should be relieved of many duties which now attach to it. It is impossible for any one man to perform the duties required to be discharged by the Commander-in-Chief. With reference to the Board of Promotion, let me say it will be very necessary to exercise great care in the selection of officers who are to form the Board. The whole future of every man in the Army will depend upon the recommendations of the Board, and everything must be done to prevent injustice being done. There are immense numbers of officers in the Army; many are serving in India, Canada, and elsewhere, and it is possible to conceive that these men will be unknown to the members of the Board, and, therefore, will have their claims to promotion overlooked. I hope the Secretary for War will pay particular attention to the recommendations of the Royal Commission with reference to the Ordnance Department, for that is one of the most important matters to be dealt with. It is important to the Army and Navy alike, and nothing will more contribute to the efficiency and confidence of both than full and careful attention in this direction.

*(10.9.) MR. CAMPBELL-BANNERMAN (Stirling, &c.): Perhaps the Committee will allow me, as a member of the Royal Commission, to say a few words on this question. I do not desire to go over the whole ground of the question, but I cannot help expressing some regret that the noble Lord the Member for Paddington (Lord R. Churchill) has not been in the House during the Debate. The noble Lord has recently developed a faculty of being absent when he is expected to be present, though on some occasions when he is present in the country he does not appear to be present with much good effect. His Memorandum, which is included in the Report of the Royal Commission, has attracted attention no less than the more elaborate provisions contained in the Report, and I, for one, should have been very glad if the noble Lord had been here to explain his scheme and hear the reasons which some of us have for dissenting from it. Failing that, we have to deal with the steps which the right hon. Gentleman the Secretary of State for War has stated the Government propose to take in the matter. The first point I will refer to is the important question of a Naval and Military Council proposed in paragraph 20 of the Report. I signed the Report, but I am bound in frankness to tell the Committee that I should have appended to my signature an expression of dissent in respect to this particular paragraph if it had not been that my attention was called to the exceedingly vague and indefinite way in which the recommendations of the paragraph are put. If the Committee will look at the Report they will see that, after rehearsing at some length what the Royal Commission found to be the want of harmony between the two Departments and the evils which may result from it, it proceeds, not in paragraph 20, but in paragraph 19, to disclose the remedy which the Commissioners propose for that want of harmony. Paragraph 19 says—

> "We think that means might be devised for bringing about more regular and constant communications between the Admiralty and the War Office. These might be found in Departmental changes, the nature of which we shall hereafter indicate, which might provide for very constant communication and consultation between two highly-placed responsible naval and military officers on all questions where common action and preparation on the part of the Departments is required."

Now, that appears to me to cover the whole ground, and the subsequent recommendation referred to consists in the sug-

gestion that the First Naval Lord at the Admiralty should have the duty imposed on him of communicating with the War Office on all occasions where the interests and duties of the two Departments overlap, and that, correspondingly, the Chief of the Staff at the War Office should perform the same duty with respect to the Admiralty. And then, as it were by an afterthought, and as a subsidiary and almost superfluous suggestion, the Commission go on in paragraph 20 to say :—"There might be some advantage in the formation of a Naval and Military Council," and that in this Council might be included one or two officers of great reputation and experience, and so forth. The very conditional tone and mood in which this recommendation is expressed conveys my frame of mind towards it. I am no believer in the establishment of any such Council if it is in any respect to supersede or interfere with the direct responsibility either of the Minister or of the Cabinet. I am altogether opposed to the introduction of outsiders. It is no doubt suggested that certain Generals and Admirals of distinction and experience should be added to the Council to assist in its deliberations. I entirely object to put in so important a position officers, however distinguished, who have no direct or recognised responsibility in administration. Let the responsible officers of the two Departments, who ought to be the best that can be secured, give their advice, and let that advice be acted upon, modified, or rejected by the Minister responsible for it, but do not expose them to have their views set aside or their decisions overruled by an amateur Council composed of men who may themselves have no direct knowledge of the facts, and, at all events, will not have the responsibility of carrying into action the decisions which may be arrived at. I am, therefore, glad to hear from the right hon. Gentleman that the Council which he proposes is practically to be little more than a Committee of the Cabinet. But if merely a Committee of the Cabinet, we could have had that without all this trouble about it. On the point of want of harmony between the two Departments, I am one of those who think that it has, after all, been greatly exaggerated, and I believe that most of those instances of friction of which we heard could have been overcome by a little goodwill on the part of the two Departments respectively. We all know that the two Departments overlap and intertwine to a very great extent. Take the case of a maritime fort. The construction and maintenance of it, the manning and supply of guns for it, would seem to belong exclusively to the War Office, and yet, as a part of the defence of the fortress, they run very closely into the question of Naval support and submarine mines and torpedo vessels, and so forth. The limits of responsibility are thus difficult to define. It is no wonder, therefore, and no ground of blame to either of the two Departments, that there may have been misunderstanding or difficulty in coming to a unanimous conclusion on points affecting such a case as this, and I speak after considerable experience of both Departments. As to the second point, the Board of Promotion, if I remember rightly, there has been a Board of Promotion at the War Office for some years ; but I am opposed to any Promotion Board which will be formed by the nomination of individual officers for that special purpose. I quite admit there ought to be placed on such a Board officers totally unconnected with the War Office itself and with the Headquarters Staff of the Army, but this should be done by making a place upon that Board the appanage of some high position of command in the country, and we should thus secure that it will not be the individual who will be appointed, but the occupant of a particular post. In that way we should escape the danger of some personal appointment which would be objected to ; and if such a Board is made large enough so that it may include officers of varied experience, I believe it will be a great source of strength to the responsible officers at the head of the Army who are responsible for promotion. But I would not go so far as to make the recommendations of this Board supersede the responsibility of the officers at the head of the Army and the Secretary of State. Then I come

to the third step, and that is the establishment of a War Office Council. The principle which the Royal Commission proposes both for the Admiralty and the War Office is identical. In the first place, they recommend the recognition of the absolute responsibility of the Minister who at once represents the Department in Parliament, and Parliament in the Department. It is too often forgotten what the form of Government under which we live really is. We live under a Parliamentary form of Government. Every Department of the State is governed in the same manner, and it implies that the Representative Chamber shall have the real governing power. We are told very often that a civilian Minister, selected because of some supposed Parliamentary pre-eminence which he has gained, can know nothing of the Army or the Navy, and therefore must be an incompetent Minister. I deny that altogether. That is not the principle upon which the whole of our Government is founded. An Indian Minister may never have been in India; an Education Minister may never have been an Inspector of Schools. Every Minister may be ignorant of the technical details of the Department he administers, but he is presumed to have capacity for administration and public experience, and he knows, or ought to know, represents, or ought to represent, the tone of thought and feeling on the subject of his Department of those whom this House represents, namely, the body of the people for whose benefit the Public Services really exist. One of the great objections I should have urged to the scheme of the Member for Paddington, if he had been here, is that it failed to recognise this principle, because it reduced the Minister of State to a mere financial Minister who was to be responsible for the Estimates, and for the making of good bargains in the purchase of material, and for the proper auditing of the accounts. If we insist with pertinacity on the exclusive right of this House to control finance, it is in order that, through the medium and by the instrument of finance, we control policy. I hold that it is constitutionally necessary, especially in the present day, when some strange theories are afloat, to assert the absolute necessity of Parliamentary control over each of those two great Departments of the State. The next recommendation the Commission makes is this: that the Minister should have the assistance of competent professional officers, each responsible directly to him for his own department of duty, but all available on equal terms for consultation and information. Now, I am afraid such a Council as the right hon. Gentleman has described does not, in the least, fulfil this condition. I do not speak of the Admiralty just now, as that Vote is not before the Committee; but as to the War Office, if I were to express in plain terms my opinion of the present organisation of Army administration, I would say that the hierarchy of officers at the head of the Army is arranged perpendicularly, whereas it ought to be arranged horizontally. Every matter requiring decision, every suggestion or idea originated among the capable military officers on the Headquarters Staff, has to pass upwards from grade to grade, and to pass through the Adjutant General and Commander-in-Chief before it reaches the Secretary of State. The consequence is waste of time, circumlocution, a discouragement of independent initiative, and a slackening of the sense of direct responsibility. There is another evil which, if it does not actually exist, is always threatening to occur at any particular time, the tendency towards that which is certainly the least conducive to the harmonious working of the administration of the Army, namely, that the officer who is nominally responsible for particular matters to the Commander-in-Chief is passed over, and that advice is offered by or sought from subordinate officers without the official knowledge of the head of the Army, and in a more or less irregular way, I believe that no more certain cause of friction and loose administration can exist than this. I make no assertion that it exists now, but the right hon. Gentleman will admit that there is a standing danger of it, and tendency to it. I think that is one of the most grave reasons for change. But the main fact is that the affairs of the Army are much too complicated and diffused in area to be treated in this way—namely, by forcing any idea up through this long channel before it reaches the Minister

whose duty it is to consider it. A more natural and wholesome mode of proceeding would be for the administration of the Army to be concentrated into large departments, the high military heads of which, being equal, would form a consultative council, whose advice should be sought by the Secretary of State. Of course, that suggestion involves the abolition of the office of Commander-in-Chief, at least in its present supreme and centralised form, a step upon which Her Majesty's Government gives no decision, and which no one would propose to take as long as the present Commander-in-Chief holds that office. I trust that there will be no misapprehension on this matter, but the subject is of such huge and enormous importance to the country that every one who is called upon to discuss this question is bound to express his opinion freely and frankly and without reserve, and to put aside altogether all personal considerations. We are bound to look at the matter from a purely impersonal point of view. I re-echo all that has been said by the Secretary of State with regard to His Royal Highness the Duke of Cambridge, whose claims upon the gratitude of the Army and of the country are so great, and whose public services during the last 30 years have been so conspicuous, that surely in any recommendation which may be made we need not be afraid of being accused or misunderstood as casting any slight upon him. I agree with the Secretary of State in saying that precisely in the proportion as persons have had an opportunity of intimately observing the way in which the Duke of Cambridge has discharged the duties of his high office, must be their appreciation and admiration of his unequalled knowledge of all the affairs of the Army, the untiring energy he has displayed, and his devoted attachment to the Service of which he is the head. But this is not a question of persons, but of system, and I am satisfied that until we adopt what I have called the horizontal instead of the perpendicular arrangement of duties and responsibilities, we shall not obtain the advantage of a frank and independent expression of opinion given to the Secretary of State by those who have a full and direct sense of responsibility, not only to him, but to the country for the opinion which they give. Up to this point I go with my Colleagues on the Royal Commission; but here, I am sorry to say, I part company with them, because they have proposed to set up in the place of the Commander-in-Chief a Chief of the Staff; a proposal which, if adopted, would really re-produce all the evils of the present system without any corresponding advantages that I can see. If you create a Chief of the Staff, who is to be the intimate adviser, above all his colleagues, of the Secretary of State, you will destroy that sense of equality which is absolutely essential to a free and loyal expression of opinion. I also attach great importance to the condition that whoever advises the Secretary of State should himself be daily concerned in the administration of the Army. If a Chief of the Staff were to be appointed he would remain shut up in his room by himself, and he would feel bound to justify his existence by inventing magnificent schemes, which, most probably, would do more harm than good to the country. Therefore a Chief of the Staff would be not only superfluous, but absolutely mischievous and dangerous to the State. If we are not to have a Council of officers of equal position, such as I have advocated, if there is to be one officer above all the others who is to be the confidential adviser of the Secretary of State—then let him be the Commander-in-Chief, and if we retain the Commander-in-Chief let us relieve him from some part of his duties involving the consideration of details, and let the condition of the appointment be that it is for five years only. I believe that a great and serious evil to the administration of the Army arises from the knowledge that the power of promotion and of patronage in the Army is vested in the Commander-in-Chief, and that he is the permanent fountain of honour, and that, therefore, it is thought, wrongly but naturally, that the best way to obtain advancement is to seek his friendship. I believe that a great change for the better in the efficiency of the administration of the Army would be brought about by the knowledge that the Commander-in-Chief only held his office for a term of five

years. Though for special reasons he might be appointed for another term of five years, there would be no permanent appointment. If these conditions are attached to it, I greatly prefer the retention of the office of Commander-in-Chief to the creation of a Chief of the Staff. I have thought it right to give these explanations of the sense in which I agree with the recommendations of the Commission, and in that sense I hope that those recommendations will ultimately, if not immediately, be adopted by the right hon. Gentleman.

*(10.40.) MR. E. STANHOPE: I think it will be convenient, after the various speeches we have had, to take this opportunity of replying to some of the points raised in the course of this discussion. In the first place, I should like to say that upon the whole I am very glad to hear the generally favourable reception that the proposal of the Government for the constitution of a Naval and Military Council has received. I think that the proposal is one that is desirable in the interest of the Empire. With reference to the deliberations of the Committee of the Cabinet, we desire that any decision come to shall be placed on permanent record, and in a form in which it may be presented to any Government that may follow us. Other speakers who have addressed the House to-night take a wholly inadequate view of the objects of the Council. I quite agree with the right hon. Gentleman opposite that the main function of the Council will not be to reconcile the differences that exist between the Army and Navy. That there are differences I admit, but it will not be the main object of the Council to reconcile them. There are many questions connected with the defence of this great Empire in connection with which, after their full consideration by the Departments, the Council could promote common action. The hon. Member for Cardiff expressed a strong opinion that professional advisers should be present at the deliberations of the Council. I have had a good deal to do with technical advisers in other walks of life, and my conclusion is that they are the worst judges, but the best witnesses, and the Council, desiring to do its duty and to lay down the best course of action, would call before it the best technical advice it could get, and would then arrive at the best conclusion it could form as to the line of action to be taken.

SIR E. REED: I never suggested that technical advisers should attend a meeting of the Cabinet Council, but I did suggest that they should take part in deliberations on a level with the heads of Departments.

*MR. E. STANHOPE: For my own part I think it very desirable that the Council itself should be on the highest level. If the defence of the country is to be authoritatively laid down it ought to be laid down by the highest authorities, who are responsible to the country. Of course, I entirely accept what the right hon. Gentleman said—that it is not intended for a moment by the appointment of a Promotion Board to divest the Secretary of State of his responsibility. He is absolutely responsible, both in time of war and in time of peace, and no Board ought to be allowed to divest him of that responsibility. The right hon. Gentleman argued that the Council ought to be worked upon a lateral rather than a vertical system; and in the Council I am establishing that principle is, in many respects, carried out. Every one in the Council has an equal right of bringing forward questions for discussion, and of discussing them in the Council. Having had the discussion, it remains for the Secretary of State to form his decision as to the action to be taken. I cannot help thinking the right hon. Gentleman leaves out of view what is one of the main considerations in this matter. I am going to say a thing which may seem rather severe. My experience of the

War Office includes a time when, in consequence of there being no one Military Authority able to harmonise all Parties, the result was chaos. We know well that we had defences put up without the smallest reference to the garrisons who were to man them, and without the consideration of many other essential questions. There ought to be some Military Authority responsible to the country, taking care that all these branches of defence are considered at the same time, so that when this House believes that a particular fortress is going to be put in a perfect state of defence they will know that not only the works and the guns but also the garrison have been thought of, and they will know that the construction and armament of the fortress are part of a well-considered plan. This was what was desired and aimed at by the noble Lord and his Colleagues. I am not going to discuss their proposal now. The Government have decided to put it aside for more careful and complete consideration. I will only say that in my time I have felt the want of one military head. At the present time there is first of all the Commander-in-Chief, who is responsible to me and to the country for seeing that all branches of defence are adequately looked after. There is also the chief Staff officer, the Adjutant General, who, under him, is responsible for all military branches. I do not say that the new scheme is at all perfect, but I do claim that it is a great improvement upon any system which preceded it. I am quite sure that if the right hon. Gentleman were to consult Military Authorities he would find that, in their opinion, considerable advantage has been gained from the fact that all the branches of defence have been brought completely and entirely under the consideration of Military Authorities. Other points it is not necessary for me to go into to-night. I would only now suggest that, as there is no substantial difference of opinion as to the steps the Government propose to take with regard to the organisation of the War Office, we might be allowed to proceed to the discussion of one or two special questions with regard to which Notices of Motion have been given.

(10.50.) THE MARQUESS OF HARTINGTON (Lancashire, Rossendale): It may, perhaps, be desirable before the discussion concludes that I should say a few words as Chairman of the Commission whose Report has formed the subject of this discussion. On the whole, I have no reason to complain of the reception which has been given to the Report of the Commission, either by the Government or by hon. Members who have discussed it. It is quite true, as was said yesterday by the Secretary of State, we have touched upon, without deciding, several questions which go to the root of military organisation. We have recommended some important, extensive, and far-reaching changes, and it is true that very few of these recommendations have been adopted in their entirety by the Government. I quite admit that the more important and far-reaching the changes are that are suggested, the more necessary it is that they should receive full and ample consideration before they are finally decided upon. I should be sorry, indeed, if the present Government, or any Government, were to accept the recommendations contained in that Report as in any degree absolving them from the duty of considering for themselves all the questions of organisation, and if they treated our recommendations as forming a plan which they might safely adopt throughout. Looking at the composition of the Commission, and at the very small military element it contained, it was thought desirable that we should abstain, as far as possible, from proposing anything in the nature of a plan, and that we should confine ourselves, if we could, to the laying down of certain principles which we thought ought to be kept in view in any re-organisation. But as we proceeded we found that it was impossible for us to adopt that method. The mere enunciation of general prin-

ciples unaccompanied by something in the nature of definite recommendations, even if those recommendations were only for the purpose of illustration, would, I think, have been scarcely intelligible. We have, therefore, endeavoured to bring before the Government and Parliament a sketch of War Office administration as it exists now, to point out what we consider to be defects of principle in that administration, and to sketch what, in our judgment, might be a scheme of War Department organisation if founded upon sounder principle. It did not occur to us in the limited time at our disposal, and especially considering the military element in the composition of the Commission, that we were capable of producing a scheme which this or any Government could adopt without more consideration than it was possible for us to give. We have also been assured, in the course of our inquiry, that very considerable progress is being made in solving a good many practical questions. I quite admit that the adoption of many of the recommendations we have made would lead to a considerable amount of temporary dislocation and disorganisation. If it be the case that progress is being made in work of a practical character at the War Office, I should consider it would be a very great misfortune that that practical work should be interrupted by a desire to place the administration of the Office upon a more perfect footing theoretically. What I consider to be the value of the discussion on the subject by the Royal Commission is this: It is not reasonable to suppose that the administration of the War Office under the present Commander-in-Chief can continue for an indefinite period, and some changes will probably have to be made shortly. I do not think any one would say that when the office is vacated it will be possible or d esirable to appoint a successor to the actual position the present Commander-in-Chief occupies. Therefore, it is desirable that the subject should undergo thorough examination, in order that the Government may be in a position to say what the future organisation of the Office should be when the time comes to effect some considerable alteration. There has been a good deal of discussion of our recommendation as to the appointment of a Naval and Military Council. The Secretary of State has informed us of the steps he has taken in the direction of that suggestion. Certainly I admit that the recommendation of the Commission has not been adopted by the Government, and their proposal is open to the criticism which has been made upon it—that the proposed Naval and Military Council is to be little more than the Cabinet itself, minus some of its members. I very much doubt whether the inclusion of the Representatives of so many Departments will not make the Council somewhat unwieldy and weaken the sense of responsibility of its members. Certainly it was the intention of the Commission to recommend a Council of a rather different kind—a Council on which the principal professional advisers of the Secretary of State for War and the First Lord of the Admiralty should sit as ordinary members. I do not, however, attach the greatest importance to the exact form which this Council should take, and I quite admit that, as I understand the proposal of the Government, the Council will be something more than an ordinary Committee of the Cabinet. I understand that it is intended that professional advisers, naval and military officers, should be invited to assist at the deliberations of the Council, although they will not be members of the Committee of the Cabinet; and, further, it is intended that permanent records of the proceedings of the Council shall be kept for the advantage and information of their successors. But the main point which I had in view was that the principle of joint consideration of matters of common importance to both Services

should be established, that matters affecting the naval and military establishments in ensuing years should be discussed, not behind the back of, but in the presence of Representatives of both Services, and that naval and military matters of equal importance, relating to the settlement of the amount of the establishments, should be decided in the same way in the presence of the responsible Representatives of the Services. Something has been said as to the exaggeration which is indulged in with respect to the friction that occurs between the two Departments. I think the right hon. Gentleman opposite himself said last night that, in his opinion, the amount of misunderstanding between the War Office and the Admiralty had been very much exaggerated. Now, I do not look upon the desirability of establishing this Council as in any way dependent upon the amount of friction or misunderstanding between the two Departments. If the members of the Committee will refer to the paragraphs of our Report which lead up to this recommendation, they will find that the establishment of a Naval and Military Council, or of some other better method of communication between the two Departments, is not at all solely recommended in consequence of the existence of unsettled questions between the Departments, or questions giving rise to controversy. It may, indeed, be the fact that sometimes there is too little controversy and misunderstanding between the Departments, because, as I think, the real evil to be redressed is that there is a want of communication between the two Departments; that each Department goes its own way, without reference to the wants or necessities of the other, and it is too much taken for granted that each Department will be able, in time of emergency, to do that which is absolutely essential for the efficiency of the other. The evil is not so much the disagreement between the Departments as that questions of the highest importance are never thoroughly considered, never thoroughly debated, never thoroughly decided between them. It may be found that the Naval and Military Council, the Committee of the Cabinet proposed by the Government, will not entirely meet all the necessities of the case, but I admit that it is a step in the direction suggested by the Commission. It is a recognition of the principle that every important question affecting one Service ought to be decided with the full knowledge of and in the presence of Representatives of the other Service. As to the permanent retention of the office of Commander-in-Chief, I desire to say that I cordially join in all that has been said by the right hon. Gentleman opposite and my right hon. Friend near me as to the personal services which have been rendered by His Royal Highness the present Commander-in-Chief. The paragraphs in the Report of the Commission which bear testimony to those services I believe express as fully the convictions of every member of the Commission as any other paragraphs which are found in the Report. I may go further, and add the expression of my own opinion that it is only due to the tact and discretion of His Royal Highness, to the superiority to any personal or petty interest, which his exalted position has enabled him to show, that what I conceive to be the radically defective system of administration at the War Office has been worked during his tenure of office with the amount of success that has attended it. But what we have to look to is the future, and I certainly entertain very strongly the conviction expressed in our Report that the retention of the office of Commander-in-Chief in its present form is not a desirable basis upon which to rest the future constitution of the office. Our conception of the future organisation of the War Office has been very well described by my right hon. Friend near me. We have felt that the Secretary of State must be the Minister responsible to the House, must be the Minister who shall be all-powerful in the Office itself. We have felt that under our Constitution it is impossible to place any direct control over the Army, over Army organisation, in the hands of any man except one who shall be directly responsible to the House of Commons. That being so, the question is narrowed to this: whether it is desirable to place between the Parliamentary chief and the heads of the various Departments into which the office must be divided one great military officer to whom all other departmental officers shall be subordinate, and in whom all the

lines of administration shall centre. In my opinion that is not a desirable link in the chain of War Office administration. I think that the existence of such an office tends to weaken the sense of responsibility of each of the officers at the heads of the Departments. It also tends to diminish the efficiency of the War Office Council. I do not think it is possible, if you have an officer of the weight and influence of the Commander-in Chief, however much you may modify his functions, that you will have that freedom of discussion in the War Office Council which will alone enable a civilian Minister adequately to decide, rightly and justly, the question of War Office administration. There is one other point I would urge. It is said that the creation of an office in the nature of Chief of the Staff is not a matter pressing for immediate consideration. My right hon. Friend who has just spoken has given, in a note which he appended to the Report, his reasons why he does not concur in this recommendation of the Commission. I fail, however, to see why in our system of military administration a Department should be unnecessary which has been found so essential in every other system of military organisation in Europe. My right hon. Friend says that the conditions of our military administration are very different from those of Germany or France. They are very different, I admit, but that merely proves that the work of the Department of the Chief of the Staff would be of a different character, and it does not prove at all that such Department would have no work whatever to do. Although our Army is not so great, or likely to play so large and prominent a part in great wars, as the Armies of foreign nations, yet I do believe that the questions of military administration which have to be considered, or which ought to be considered, by a Secretary of State for War, are problems of as difficult and complex a character as those which come up for decision by the War Minister of any other country. The new organisation of the more or less efficient, but still numerous, bodies of armed men who exist in this country for defence against invasion, is alone a subject which ought to be considered by the Department of the Chief of the Staff. And we have not only protection to consider. We may be involved in hostilities with a foreign Power at some future time, and although the brunt of the conflict may be borne by the Navy, yet, as has been pointed out, the Navy depends to a very large extent upon military co-operation; and what the amount of that co-operation should be, and in what mode the Army could best assist the Navy, are matters which, it seems to me, afford just as much consideration for a Department of the Chief of the Staff as do the military operations which may be undertaken by any other Power. My right hon. Friend suggests that these questions could be better dealt with by the executive officers who are in touch with the Army, and who are better able to give opinions than the officer who, as my right hon. Friend says, has simply to sit and cogitate. I think it is extremely dangerous that we should leave the consideration of these questions to men whose time is, or ought to be, fully taken up by the executive duties of their offices. I believe that there is sound reason for the principle, which has been adopted by every other nation, of placing the consideration of these matters under a Department which shall be absolutely free from every administrative and executive duty; I think it is, at all events, to take a very great responsibility upon ourselves to absolutely disregard the experience of every other great military nation, and to say that we alone can dispense with those duties of forethought, study, and mature judgment which have been found necessary by every other nation. I hope, therefore, that when Her Majesty's Government have had time for a fuller and more mature consideration of the recommendations contained in the Report, they will, above all, take into consideration the necessity of there being some such Department. I do not say that it need be a servile imitation of the General Staff Departments of foreign countries, but I beg them to consider the propriety, and the necessity, and the urgency of the formation of a Department, the duty of which shall be to work out, study, and give judgment upon some of the most difficult questions of military policy which can be presented to any country.

(11.15.) ADMIRAL FIELD (Sussex, Eastbourne): I desire to offer a few words in regard to the Naval and Military Council; and I wish to emphasise what the noble Lord has just said, and to express a hope that the Government will re-consider their determination on this point. I am assured that a Sub-Committee of the Cabinet would be totally inadequate for dealing with these questions. The Royal Commission have made a decided recommendation, after very careful consideration; and if any value is to attach to their Report some weight should be given to this particular recommendation, and it should be loyally accepted. Naval and military men should be allowed to discuss the important question of fortifications on a Council of this description, before the country is allowed to embark on an enormous expenditure. If such assistance had been sought and acted on a few years ago the Government of the day would not have advised the country to enter upon an outlay of many millions, nine-tenths of which, in the opinion of naval and military men, was unnecessary. Money was wasted on land defences which never could be brought into requisition, unless we were prepared to part with the supremacy of our naval power. I hope the Government will re-consider their decision on this point. Unless you have naval and military men on this Council there will never be any possibility of defending at its meetings the views of the authorities on the questions discussed. I have great respect for Cabinets, but it will not be sufficient to allow a meeting of a Sub-Committee of the Cabinet to be attended by naval and military men without power to vote. That is not what the Royal Commission recommends. It recommends a Naval and Military Council for an entirely different purpose. I am aware that the discussion of naval questions would be out of order on this Vote, and therefore I must defer my observations on the naval aspect of the case until we reach the Navy Vote. But I want to know from the Secretary for War if the Government have come to any decision on that part of the Report which deals with the question of ordnance. Have the Government consulted naval and military opinion on that point? We have heard strong complaints from the noble Lord, and from other sources, that the naval and military element on the Royal Commission was very small indeed. We, as naval men, did our best to get another naval officer put upon it, and I believe that the Army asked to have another military officer on it, but these efforts failed. Now, the Report shows that the organisation of the Ordnance Department is altogether unsuited to the magnitude, variety, and vast importance of the duties which have to be administered. Naval men are not at all satisfied with the present system of administering the Vote for naval ordnance. I do not presume to say what is the proper remedy, but, at any rate, the Royal Commission have spoken with no uncertain voice upon it, and I do trust the Secretary for War will tell us that the Government are willing to consider this point in all its bearings. I am well aware that great reforms have been initiated and carried out by the War Office, and probably things are now working more smoothly, but still it is desirable the state of the ordnance Department should have attention. I trust I shall, on another occasion, have an opportunity of dealing with matters affecting naval administration, on which I have very burning convictions.

(11.25.) MR. A. O'CONNOR (Donegal, S.): Two observations of the noble Lord the Member for Rossendale were so interesting. One was that the Commission over which he presided was so very inadequately supplied with professional assistance, that there had been no time to elaborate any big scheme of administrative reform; and the other was that the only alteration of existing arrangements adopted by the Government was not that which the Commission

itself recommended. A good deal of the discussion which has taken place on the present Vote appears to me to have turned on matters which are of comparatively slight importance. The mere proposal to establish a Board of Promotion in lieu of the existing arrangement, though it may be very interesting to officers who are now in the Service is, after all, a comparatively small portion of a very large question which this Vote covers. What is now before us is a proposal to re-cast the whole of the superior Administration of the War Office, and, in connection with it, to modify the organisation of the Admiralty Administrative Department. It is a large problem put into the simple form —How to make the most of the Forces of the country for purposes of defence and aggression, having regard to the Parliamentary Institutions of the country, and the Parliamentary responsibilities of the Secretaries of State. As a matter of fact, the military history of this country is remarkable for the proofs which it affords of the behaviour of the two Services, not in co-operation with each other. This is not merely a question of co-operation; it is also a question of administration. We are now dealing with the Army Vote. The Army is a weapon placed in the hands of the authorities for public services. It consists of a fighting force of organised and disciplined men, which is necessarily under the Commander-in-Chief, but which for its efficiency is entirely dependent on a number of administrative services, which are necessarily controlled by a series of officers of importance, and yet of secondary rank. The whole history of the campaigns carried out by this country in the present century, except, I believe, in the case of Wellington's campaign in the Peninsula, is remarkable for the proof of the want of administrative combination, which, indeed, has been seldom attained to any large extent in any Armies. I believe it was obtained by the first Napoleon, by Sherman in one of his remarkable marches, and by the German Army in their last great war with France, but beyond these cases I do not think it possible to find a single instance in which an Army has been brought into the field with all its administrative services ready for co-ordination and co-operation. The result has been a great deal of unnecessary expenditure, and a great waste of power and of efficiency, and into this want of co-operation between the Naval and Military Forces, the Royal Commission was appointed to inquire. It was directed to inquire and report upon both the civil and professional administration of the Military and Naval Services, their relations to the Treasury, and the possibility of making any alterations in the existing system, to secure efficiency and economy. The Report has been received with a chorus of approval, in which I do not see my way to join, and I think, in some respects, the conclusions and recommendations of the Commission are of the most illogical and unconsequential kind. The Commissioners make some observations upon the Reports of other bodies which have preceded them in inquiry, and upon the action the War Office took on these Reports. The Commissioners dwell with great emphasis on the fact that in a single year, 1887, there were three different Reports furnished to the War Office. First there was the Departmental Committee under Lord Morley, which Committee reported in favour of the Ordnance Factory and the inspection of stores being placed under the control of the Surveyor General. In the same year there was the Report from the Royal Commission under Sir James Fitzjames Stephen, which recommended the appointment of an officer whose duties should be, in some respects, those which fell to the share of the Surveyor General of Ordnance. Again, in the same year, Sir Matthew White Ridley's Committee on the Civil Services recommended the appointment of a military officer not in Parliament to the post of Surveyor General of the Ordnance. So there were three Reports of independent bodies, all concurring in the recommendation that the office of Surveyor General should, under some

name, be retained, and going to the extent of adding to the existing powers and authority of the office. What was the result? In December of that very same year the office of Surveyor General of Ordnance was abolished by Order in Council, and by that same Order in Council the duties, or the most important of them, were transferred to the Commander-in-Chief, but the control of the Manufacturing Department was transferred to the Financial Secretary. That is to say, the Commander-in-Chief, already overburdened with multitudinous duties, was further burdened with duties which have at all times been found exceptionally heavy in connection with the Supply Service. The Commissioners point out what is perfectly true—that it is impossible for any single officer fully and adequately to discharge such a number of miscellaneous duties, and what is their conclusion? Why, just as the War Office in 1887, after repeated recognitions of the importance of the post of Surveyor General, got that post abolished by Order in Council, so do these Commissioners, after recognising the over-burdened condition of the office of Commander-in-Chief, go on to propose—what? Not that he should be relieved; not that some of his duties should be transferred to other officers, but that the post of Commander-in-Chief should be abolished. Well, I fail to see any logical connection between the premises and the conclusion. I invite anybody who approaches the matter dispassionately, without any connection officially with the Naval or Military Services, to read this Report and say whether he does not detect in it, in every page, the inspiration of a mind, or of minds, not of or among the Commissioners themselves. We are not furnished with the evidence upon which this conclusion has been arrived at; the evidence is not to be published. We do not even know who the witnesses were, but it is not very difficult to gather from the Report what kind of witnesses they were. It is a very important proposal this, to abolish the post of Commander-in-Chief. This, at any rate, can be said for the illustrious Duke, that he is not a member of any ring; this, at least, can be said of him, that he is looked upon, and has been for a long time looked upon, by the great mass of the officers in the Army as not open to the suspicion of favouritism or jobbery, and it will be very difficult to replace him in that respect by any officer who may be appointed to the high post which presently may be vacant. The Commissioners recommend that the duties of the Commander-in-Chief shall be distributed among other officers, and that the officer in command of the troops in this country shall be placed in a position practically the same as though nominally a little higher, perhaps, than that of the officer commanding the troops in Ireland, or on some foreign station; in fact, he is only to be in command of the combative forces in Great Britain, and then there is to be established a Chief of the Staff with a separate Department. Well, I should like to ask, to whom is he to be Chief of the Staff? The Commander-in-Chief is gone; is he to be Chief of the Staff to the officer commanding the Forces in Great Britain? Is he to be Chief of the Staff to the Department generally? Is he to be Chief of the Staff to the War Minister? Well, if that is to be the proposal, it is an entire departure from existing arrangements—a departure of a very novel kind. It cannot possibly be that he is to be Chief of the Staff of the Army. No; he is not to be Chief of the Staff at all; he is to be a permanent War Minister in uniform, behind the Parliamentary Civil War Minister who represents the Department in this House. Well, that is again a very extraordinary change, a change not to be summarily discussed in a very short Debate in Committee upon a Vote in the Army Estimates; it is a matter which comes very near an important constitutional question. But whether it be constitutional, or unconstitutional, I venture to say it is against the elementary principle of our Army administration in this country which is governed by Parliamentary institutions. What is your Chief of the Staff to do? He is to advise the Secretary of State in general matters of military policy; on the strength and distribution, and employment of the Forces; in collecting military information; in preparing schemes for military operations; to examine military estimates as drafted; to consult with the First Naval Lord of the Admiralty on

inter-Departmental questions; to examine correspondence with other Departments; to conduct correspondence with General Officers commanding on all questions of military policy, and to report to the Secretary of State on all military requirements. Well, what are these but the duties of a kind of permanent Secretary of State in uniform? He is not to be Commander-in-Chief; he is not to be Chief of the Staff to the Commander-in-Chief, but a novel creation occupying a post never before filled, perfectly new to the Army and to the Constitution. It is not adopted yet, I am glad to say, by the Secretary of State for War, but I have no doubt that, in spite of his retirement, in a very short time we shall see Lord Wolseley occupying the post of Chief of the Staff. That, I presume, is the whole secret of this long discussion and re-arrangement. The appointment of General Buller as Adjutant General is, no doubt, a good one; but however eminent the abilities of Lord Wolseley, however distinguished and heroic his services, I do trust before this business is completed the Cabinet will pause, and Parliament will be allowed the opportunity of more fully discussing this question, and the country at large will be allowed the opportunity of realising the character and scope of the proposal before us. There is one point upon which I think the Secretary of State will have clearly gathered the minds, not only of the Commissioners, but of the House as expressed on both sides, and that is, that any arrangement by Cabinet Ministers for the consideration of high questions of general policy connected with military or naval matters cannot possibly furnish that working arrangement between the Services which has to deal with matters of a purely technical description very often. If it is a question of manning marine fortifications, or of the transport of troops by the Navy, what on earth is the use of bringing the Secretary of State for India, or the Secretary of State for the Colonies into consultation? It is because there has been a want of inter-communication in the past that there has been a great deal of money wasted, and valuable opportunities have been allowed to escape. I will not take up any further time, although there are a great many features in the present administration of the Army which might be usefully discussed if time allowed, and there is much, also, besides what has been mentioned in the Report of the Commission that ought to receive more consideration than has yet been given to it.

*(11.45.) MR. MONTAGU (Tower Hamlets, Whitechapel): I may be allowed a few words on a matter of local importance pertinent to this Vote. Last year upon this Vote I moved a reduction as a protest against the refusal of the Secretary for War to re-admit the public to the river-side walk at the Tower of London. If the right hon. Gentleman will intimate that he is prepared to give a more favourable response to the request now I need not trouble the Committee, or perhaps I had better move to report Progress, for there are friends of mine now absent who desire to take part in the discussion. Well, I I will proceed, and if the right hon. Gentleman does not yield our request I may move the reduction. I need scarcely remind the Committee that the East End of London is ill-provided with open spaces for public recreation, and there are exceedingly few in my constituency of Whitechapel, in which the Tower is situated. No part of the Tower Hamlets Division is more crowded, and the conditions of life are a source of danger not only to the inhabitants there, but in the whole Metropolis. From the crowded state of dwellings and the absence of fresh air and open spaces, fevers are engendered, which are not confined to the places where they originate, but frequently spread into other districts. If from selfish motives only there should be an inducement to provide breathing spaces for the East End of London, and the necessity of open spaces all over this crowded City has been universally recognised. The action of the London County Council is checked by the cost of providing such open spaces, but here is an open space of great public utility which

might be availed of without any cost to the ratepayers. Really the space is not required for Government purposes. For a considerable distance in the neighbourhood of the Tower there are no open spaces worthy of the name except the Tower Gardens of an acre and a half. I am not ungrateful for the boon conferred upon the inhabitants by the opening of these gardens three years ago in response to a Petition signed by nearly 5,000 of my constituents; but we want the right hon. Gentleman to complete the good work, and give the people access to the fresh air of the pleasant riverside walk. There is no doubt of the right hon. Gentleman's ability to do this; but he is influenced, I fear, by the residents in the Tower, and has persistently refused to grant this, which would be a great benefit to the working-classes of the East End of London. The admission of the public to the Tower Gardens has been a great success. People resort to that narrow strip of land to the average in summer of 3,000 daily, and they are most orderly. Formerly people were admitted to the riverside wharf, and it was considered the most enjoyable promenade in the district, and if this was so before the improvements in our sewage system how much more must it be so now. The population has vastly increased, and the river has been greatly purified. We can appreciate our riverside walk outside this House, and the people of West London have miles of such provided at the cost of millions. Why refuse to the toilers of the East this small benefit, which will entail absolutely no cost whatever? The Secretary for War, before throwing open the Tower Gardens, required and obtained a formal guarantee that no expense should fall upon the Government, and that engagement has been kept to the letter. The cost of laying out the gardens and the maintenance of the place for public recreation has been met from private sources, and the same guarantee will be given in regard to the river wharf. The objections made by the right hon. Gentleman last year were, I must say, trivial. There might, he said, be danger to the public. I suppose he means danger of tumbling into the river, but no one tumbled into the river in former times. We will, however, relieve him from any anxiety by putting up a railing, as we did round the moat, where a fall would be much more dangerous and more likely to occur. Then the right hon. Gentleman said the people might get into danger when stores were being landed at the wharf. There are several ways of obviating such danger. In the first place, do not land stores there; let them come by land. But the right hon. Gentleman says the stores come from Woolwich and water carriage is much cheaper, but I do not think the difference would be very great. The Committee might imagine that stores were being landed every day and all day; but no such thing; barges are not alongside the wharf once a week. The right hon. Gentleman, in answer to a question last year, said that 47 barges were moored at the wharf in 12 months, and doubtless they could be unloaded immediately they arrived. (I am quite prepared to stop and let the Vote pass if the right hon. Gentleman will give me a favourable reply.) If the Government will not send stores by land on account of expense, then let the landing be carried on before the public are admitted. It is a simple matter of arrangement; a chain might be stretched during the landing to keep the people at a distance, and they could still enjoy three-fourths of the promenade. The new Tower Bridge, erected at a cost of over £1,000,000, will soon be completed, and throwing open this wharf would save people making a long detour round the Tower when they want to cross the bridge. In reply to a Petition signed by 7,000 or 8,000 of the inhabitants of Whitechapel, and the right hon. Gentleman wrote to me on June 17 expressing sympathy with the object of the petitioners, but he said the wharf was required for numerous and important military purposes; but what are these purposes which prevent the public from using the wharf as they did in former times? I am informed the wharf is rarely used; infants and not infantry are sometimes found there; the walk is used by a few privileged persons. Does the right hon. Gentleman think there is any danger to the Crown jewels? A wide moat, thick walls and sentries on duty ought to be security enough; but if there is still apprehension, let the jewels be re-

moved elsewhere, or replace them with paste imitations which will give equal satisfaction to visitors. I think assurances are not wanting that the working classes always respect national property. Let the Government enjoy the novel pleasure of restoring a privilege of which a former Government deprived the people. I do not think we ought to wait for a change of Government for this little act of justice.

It being Midnight, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again upon Monday next.

(12.0.) MR. DUFF (Banffshire): When do the Government intend to go into the naval part of this question?

*THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I cannot say at this moment. The Leader of the House has promised to make a statement with regard to Public Business in the course of the week.

MR. DUFF: I will put the question on Monday.

MR. CONYBEARE (Cornwall, Camborne): Do the Government intend to take Wednesday?

*MR. JACKSON: I cannot answer that.

MR. JENNINGS (Stockport): When will Vote 10 be taken, upon which we have been promised a discussion?

*MR. E. STANHOPE: I sympathise with my hon. Friend on this question, he having for 12 months endeavoured to bring this important subject before the House. I would ask him to repeat his question on some other occasion.

RESERVE FORCES BILL.—(No. 272.)

SECOND READING.

Order for Second Reading read.

*(12.5.) MR. E. STANHOPE: This is a Bill of great importance, to make certain that the position of Volunteers who have enlisted in the Reserves is legal. The object of the Bill is to enable us to use Reserve men training in the Volunteers in cases of emergency.

Mr. Montagu

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. CONYBEARE: No doubt this is a valuable Bill, and, as an old Volunteer, I should be delighted to facilitate its progress at a reasonable hour. As, however, this is a Government Bill, it cannot be allowed to pass after 12 o'clock at night.

Objection being taken to Further Proceeding, the Debate stood adjourned.

Debate to be resumed upon Monday next.

SUPPLY—REPORT.

Resolution [3rd July] reported.

ARMY ESTIMATES.

"That a sum, not exceeding £3,467,600, be granted to Her Majesty, to defray the Charge for Provisions, Forage, and other Supplies and Clothing Establishments and Services, which will come in course of payment during the year ending on the 31st day of March, 1891."

Resolution agreed to.

POOR LAW (IRELAND) RATING BILL.

(No. 350.)

Bill, as amended, considered; read the third time, and passed.

BUSINESS OF THE HOUSE.

On the Motion for Adjournment:—

(12.14.) MR. SEXTON (Belfast, W.): We are told that the Irish Estimates will be taken next week, but we have had no specific intimation as to the order in which they will be dealt with. We know that the Constabulary Vote will be taken on Monday. How shall we go on after that?

*MR. JACKSON: I would ask the hon. Member to put a question later on. It is proposed to take the Constabulary Vote first on Monday, and after that the Vote for the Chief Secretary.

MR. SEXTON: I doubt if that would be convenient.

MR. JACKSON: I would ask the hon. Member to put a question on Monday.

House adjourned at a quarter after Twelve o'clock till Monday next.

HOUSE OF LORDS,

Monday, 7th July, 1890.

REPRESENTATIVE PEERS FOR SCOTLAND.

The following Question was upon the Paper:—

The Duke of SUTHERLAND:—"To call attention to the fact that certain protests tendered by several Peers of Scotland at the last election of Representative Peers for Scotland at Holyrood, on 6th January last, regarding the calling, responding to, and voting under, a Peerage not to be found on the Roll of the Peerages of Scotland, accepted at the Union in 1707 as the 'authentic Roll,' have not been transmitted to this House; and, seeing that there is no Act of the Legislature prohibiting protests, and that the attempt failed to prohibit the long-established right of protest at Holyrood, by means of the 'Representative Peers (Scotland) Election Procedure Bill,' introduced in 1883 by the Earl of Selborne, which failed to become law; and, seeing that the protests of Scotch Peers, on the same subject, were received at the election at Holyrood, on 10th January, 1889, and were printed 'by order' of this House on the following 22nd of February; to ask Her Majesty's Government on what grounds the unprecedented course was taken at the said election at Holyrood, on 6th January last, of refusing to accept the protests of Peers, thus infringing long existing usage and precedent which have prevailed since the Union."

*THE EARL OF MAR: My Lords, as, unfortunately, I do not see the Duke of Sutherland in his place, I would beg your Lordships' indulgence for a single moment while I venture to ask if it should be the pleasure of the House that I, as one of the protesting Peers at Holyrood last January, might be allowed to ask the Question which stands in his Grace's name. I do not at all wish to press it upon the House, but I put it to your Lordships, if it should be quite convenient and agreeable to you, that, as I fancy the Government are prepared and are ready and anxious to give an answer to this important question, if that be the case, I shall be very happy to facilitate the matter by asking the question, and, if it be agreeable to your Lordships, I propose to read the Question standing in the name of the Duke of Sutherland.

EARL GRANVILLE: My Lords, I beg to ask whether there is any Question before the House?

*THE EARL OF MAR: I only ask for permission if it should be agreeable to your Lordships that I should state the question. ["No, no!"] I am quite in your Lordships hands, and as the House expresses dissent, I will at once sit down.

BERKELEY PEERAGE.

Petition of the right hon. Francis William Fitzhardinge, Baron Fitzhardinge, of Berkeley Castle, Gloucestershire, and of Cranford House, Hounslow, Middlesex, praying their Lordships that the Petitioner may be allowed to appear and be heard before their Lordships' House and before their Lordships' Committee for Privileges by his counsel and agents in opposition to the claim of Randal Mowbray Thomas Moreton Berkeley to the titles, honours, and dignities of Earl of Berkeley and Viscount Dursley, and that he be allowed to adduce evidence in support of his said opposition, and that he may have a sufficiency of time allowed to him to fully prepare his case and evidence, and fully instruct counsel and agents in his behalf, and that he may have all the privileges and facilities usually granted in such cases; and also that the further hearing of the Petition of the said Randal Mowbray Thomas Moreton Berkeley may be postponed until the next Session of Parliament; read, and referred to the Committee for Privileges.

The Lord GREVILLE—Took the Oath.

COMPANIES (WINDING-UP) BILL. (No. 182.)

POOR LAW (IRELAND) RATING BILL.—(No. 183.)

Brought from the Commons; read 1ª, and to be printed.

WESTERN AUSTRALIA CONSTITUTION BILL.

Brought from the Commons; read 1ª; to be printed; and to be read 2ª on Monday next.—(*The Lord Knutsford.*) (No. 184.)

TELEPHONE COMPANIES.

THE DUKE OF MARLBOROUGH, in rising to call the attention of the House to the fact that the period within which Her Majesty's Government can serve

notices to terminate the existing licenses to the National Telephone Company expires the end of this month, and to move a Resolution, said: My Lords, the subject upon which I have placed a Motion on the Paper is one upon which I have had the honour to address your Lordships on two previous occasions; and though the subject is perhaps one which is not of interest to every Member of this House, yet, at the same time, it is one which is of great interest to a vast number of persons, and it is one with regard to which I think really I need make no excuse for venturing to trespass upon the time of this House by stating the case in somewhat fuller terms than I did on the previous occasions. On the first occasion of my bringing the subject before the House last year Lord Salisbury stated, on behalf of the Government, that the whole question of the telephone system was one which would have to be considered at some time during this year, as the patents under which the telephone is worked would lapse at the end of 1890. I put a question on the Paper at the beginning of this year, and I then alluded further to the subject; and the answer given me was that the matter was under the consideration of the Government, but that the Post Office Authorities had not come to any decision as to the line they would adopt, still that the Government recognised that the time was rapidly drawing near when a decided line of action would have to be resolved upon. Now, my Lords, a question was asked the other day in another place of the Postmaster General, whether the Government intend to exercise the powers they have under the licences granted to the National Telephone Company, to buy up the telephones, and the answer of the Postmaster General was that the Government have no such intention. Therefore, the question arises whether the remarks made by the Prime Minister last year do not call for some further statement now. The Prime Minister admitted that the matter was one of great public importance, that a decision must be come to, and that some steps should be taken; and I venture now to urge very strongly that the Motion which I have put upon the Paper is one of considerable public interest. I do not think I need go into the whole story of the telephone, because your Lordships must be acquainted with the uses to which it is applied, and to which when perfectly organised it can be applied. In every large town, certainly in every capital town in Europe, the use of the telephone is considerably extending. In Paris, for instance, there must be three or four times the number of subscribers that exist in London. Unfortunately, during the whole history of the telephone in London it has been met with two difficulties, one the amount of money which the monopolists, the present company, wish to make out of the thing, and the other the limited facilities which that company has been able to acquire from the Government. I think, therefore, I cannot do better than lay the case as it exists between the company and the Government before your Lordships. When the telephone was first introduced, and the lawsuit between the company and the Government was brought to an end by a compromise, the company acquired a licence from the Government. That licence was in a particular form, and in that licence, which was for 30 years, to carry on the work of the telephone under certain regulations from the Post Office, a clause was inserted giving the Government power at each period of seven years during the 30 years to exercise an option of purchasing out the Telephone Company. The clause in that licence is so very vague and so very peculiar that it would be almost impossible, I venture to say, for the Government to have succeeded in that, or to have known beforehand to any extent the amount they would have to pay upon a valuation for the telephones. The clauses of the agreement regulated the conduct of the Telephone Company with regard to the Government, and provided a period for the process of buying them out. The company agree to pay a 10 per cent. royalty on all gross receipts to the Post Office, and the company also undertake that they will neither assign, underlet, or dispose of the powers, privileges, or authorities thereby given, or any such powers, privileges, or authorities without the consent in writing of the Postmaster General. I wish particularly to point out that clause to your Lordships, because I shall have to allude to it further on in regard to what has taken place. The last and most operative

clause of the agreement is with regard to the power of purchasing outright the Telephone Company. It is to the effect that the Government shall buy out the Telephone Company

> "With all their rights, powers, privileges, and works, and all the property of the company appertaining to and forming part of the business of the company,"

and that in case of difference it shall be determined by arbitration as thereinafter provided; and then, further on, the award of a single arbitrator is to be sufficient, and they are to conform to the provisions of the Common Law Procedure Act, 1854. Now, your Lordships will have observed that in this licence there is nothing stated as to the mode of the valuation. It does not say whether is shall be a valuation of plant; whether there is to be a valuation of goodwill; whether there is to be a valuation of unearned increment or what. In fact, it simply says "the powers, privileges, works and other property of the company." That is an extremely vague condition, and if Her Majesty's Government had exercised the power which they possessed up to the 30th June last of giving notice for the next seven years—because it was on that date that the power of giving notice to the company expired—they would, of course, have had to purchase. The proviso is that the Postmaster General may at any time, by giving six calendar months' notice in writing, terminate the licence on the 31st December, 1890, the 31st December, 1897, and so on. Therefore, the six calendar months' notice would have required to be given on the 30th June; and as the Postmaster General did not then serve notice, he is unable to do so until the 30th June, 1897. That is a very important point. If the Postmaster General had served notice on the Telephone Company to terminate their licence, the Government would have had to pay a valuation for the goodwill or plant, or whatever the arbitrator appointed might say was the valuation to be paid, since the provision in the clause which I have referred to is "the powers, privileges, works, and other property of the company." No person of any practical experience would venture to say whether it would be £1,000,000, £2,000,000, £3,000,000 or £4,000,000 that Government would have to pay to buy out the Telephone Company under the terms of the licence which they had themselves granted to the company. This is a very important fact, because I wish to bring to your Lordships' attention the position of this company, not because I have any feeling with regard to the company whatever, and there is nothing that I should have heard with greater satisfaction than an announcement from Her Majesty's Government that they were prepared to go to the country for a grant of £3,000,000, for that it has been estimated, I think, would be the sum required in order to establish a Telephone Department of the Post Office, like the Parcels Post, to acquire the whole of the telephones of this country, and to afford to the country one inexpensive system. That would have been the best thing, I think, for the country that could have been carried out. But as they have not done that, we must look not only to what the Government intend to do, but at the position of the present companies, because we have the question of the public interest to consider in this matter. Now, with regard to the public utility of the telephone, where it is used properly as a system, you can save half your correspondence. You can have a little box at your side, and talk into it from this place where I am standing to a friend at Brighton, and you would hear each other just as clearly as you hear me at this moment. You can sit at your writing desk, having that little box beside you, and go on with your ordinary work, and communicate with anybody within reach, and in that way do half your correspondence in writing and the other half by actual speech. But, in order to do that, you must have an efficient system. Now, the history of the present company is really a very curious one. This company, which obtained a licence from Her Majesty's Government, issued a certain amount of capital. Upon that capital they found that, even with the experimental system which they possessed, and which really was only used in the City among stockbrokers and business people, that the profits were very large, and last year they paid 17½ per cent. dividend, before the amalgamation to which I shall presently refer. They have pooled their

interest with certain other companies. The process was this. In the first instance, a company was started called the United Telephone Company. They possessed all the Bell patents, for which they paid about £37,000. They then formed subsidiary companies, called the Lancashire and Yorkshire Company, the National Company, and one or two others, which each had their particular capitalisation. When the telephone was proved to be successful, after a certain number of years, about the beginning of last year the shares of the United Company had risen from £5 to £15, and the shares of the other companies had also risen very considerably. Those other companies were subsidiary, and were, in fact, children of the father concern, the United Company, which held a large interest, to the extent of many thousands of pounds, in each of those companies. It was then agreed between them that the whole value of those shares—the market value, not the par value—should be pooled, and certain other considerations were added, and that a Joint Company should be formed which should be called the National Company. Now, my Lords, when this took place a very strong remonstrance was issued by the Postmaster General to try and prevent the amalgamation, on the particular ground that it was a breach of the agreement; but the thing was not pressed, and I venture to say that, as a matter of fact, the formation of those companies was in direct contravention of the 12th clause of the Agreement, which I have read to your Lordships, that the company should not assign, underlet, or otherwise dispose of their powers. However, that would have been a case for legal decision. No doubt the Postmaster General offered a very strong resistance against what then took place. What took place was that the National Company was formed with a capital of £720,000. The United Telephone Company pooled its capital of £1,000,000 at £1,250,000, and the Lancashire Company pooled its capital of £400,000 at £520,000. The holding of the National in the United was £225,000 and in the Lancashire £65,000. There were deductions added to the money paid to the United £742,000, and to the Lancashire £125,000; and further capital added £177,960, making a total of £3,250,000. Now, before I go further, I want to know this, supposing Her Majesty's Government had exercised their right under the licence of purchasing out the National Company, were they prepared to pay £3,250,000, of which, if I were to go into the thing, I could show that over £2,000,000 is what is vulgarly called "water"—that is to say, it is not subscribed capital. Well, then, such being the case, the question would arise as to whether the Government would have to pay on the basis of the £3,250,000. I venture to say that any appraiser or arbitrator would have said, "If you once allow this pooling to take place, once you allow these companies to amalgamate in this form, you cannot treat it as absolute value." Besides that, there will be the question of the plant or goodwill which may have arisen. Then what is the present condition of things? Here is the public paying £20 a year a-piece for the use of the telephone. I may say that I have seven telephones in my own house, but there is not one with which I can speak in the City, and there is no gentleman I know who is able to speak in the City with his. I will tell you why that is. The telephone is simply useless unless it is on two wires. If you have not two wires, they are subject to inductive disturbances; you get all the currents of the electric lighting, telegraphs, and the different things that are going on; but if you have two wires, it does not matter what is going on, and you can talk easily from here to Brighton. The whole of the system of the National Company at present is on single wires, and for that we are bound to pay £20 for each apparatus. The number of subscribers to the National in London is not over 12,000, while in Paris it is 36,000; and the thing is only beginning there. Let me state to your Lordships what the position of the telephone might be in regard to the public. We should have in the West End, every one of us, one of these instruments, and not be bothered with it in any way. We might put them in the basements of our houses, and only connect them up when we wanted to speak to a friend. There are here and there a few isolated people who have telephones, but if you try to talk to them, you find that the exchange is so badly arranged, and the wires

so badly managed, that you cannot really use the instruments. Now, the Motion which I have put on the Paper here is, that it is advisable in the public interest that, as Her Majesty's Government have decided that they will not buy out the National Company, the work should be put to competition. Competition made the railways of England, and competition must give us the telephone. If, on the other hand, you are going to say you will not let anybody else come in, because you have retained to yourselves, under this clause in the Agreement, power to step in and set up business on your own account, in competition with any company you have given licences to, at any time you choose, I say that such an exercise of discretion as that would be altogether unjust and improper for any Government to undertake. I venture to say that neither your Lordships' House nor the other House would agree to such a thing as making a grant of £3,000,000 for the purpose of competing with a company to which you had given a licence, and on the faith of which licence people have honestly subscribed for shares. The Agreement provides that—

"Nothing in these presents contained shall affect or prejudice the right of the Postmaster General, from time to time, to establish, maintain, or work any system or systems of telegraphic communication of a like nature to the aforesaid system of the company, or otherwise in such manner as he shall in his discretion think fit."

If the Government were to go, say next year, to Parliament, and say, "We wish for £3,000,000, in order to establish a telephone system for the use of the public throughout the United Kingdom," I venture to say it would be an extremely unfair thing, whether to the National Company or any other company which has a licence from the Postmaster General; because the shares of the National Company would naturally at once fall to zero. The National Company has not got the facilities which the Postmaster General has, because the Postmaster General has not conceded to them the powers which he has of laying cables wherever wanted under ground, and, therefore, the National or any other company would compete at enormous disadvantage with the Postmaster General. I think therefore it would be an extremely unfair thing for the Postmaster General to enter into competition with the National or any other company on such terms. One thing I venture to say, and that is, that Her Majesty's Government, having decided that they will not purchase out the present company and set up a Department similar to the Parcels Post, cannot honestly come to Parliament and ask for £3,000,000 in order to starve a company which, although it has behaved to some extent in an improper manner, has got a capital of £3,000,000 sterling subscribed under the authority of the licence from the Postmaster General. But I say, although that cannot be carried out by the Postmaster General, Her Majesty's Government are bound to give us the use of the telephone, and that can only be done by enabling any responsible persons who apply for a licence and can show that they are prepared to obtain sufficient capital for the purpose, and are ready to establish a really good municipal system in this town, to obtain from the Postmaster General a licence for this work, because, without a licence from the Postmaster General, of course no such company can start. Now, my Lords, the thing can be done with a very small capital from subscribers. I should like to state here the rates at which this is done in other countries. Speaking from recollection, as far as I can make out, about £6 is the average of what is charged in most of the capitals of Europe for the use of the telephone; in London, as I have mentioned, you are paying £20, and you must go on paying £20, as long as you are left in the hands of the National Company, because the National Company have added £2,000,000 of "water" to their capital, and they cannot pay 5 per cent. on their shares unless you allow them to charge £20 for their instruments. Now, those shares were issued again at £5; they are still going up in value; and are quoted at £6; that is, £1 premium, showing that the telephone business is an extremely paying one. There is no doubt, therefore, that if Telephone Companies were started in that way in this Metropolis, they would do a paying business. The charge made does not matter possibly very much to your Lordships. It does not matter much to you whether it is £20 or £6; but you must remember that to the business people in this town the use of the telephone is of enormous advantage.

There are people right and left who are demanding these facilities, and who are deprived of them because they cannot, and will not, pay £20 a year. The time has come, I think, when Her Majesty's Government should really give an answer. They have stated that they will not undertake the work themselves, and they are bound not to behave unfairly to the existing companies. On the other hand, they are bound to behave fairly to the public, and I think, therefore, that we should have a clear statement from Her Majesty's Government as to the line they are going to take with regard to the telephone. If we are really going to have the telephone, we must not adopt a suicidal policy. I have already advocated in this House that the Postmaster General should keep in his hands the main lines between London and Birminghan, London and Brighton, and other large towns. Those main lines should be kept in the hands of the Government, and facilities should be given to private companies for working in the towns, if Her Majesty's Government have decided not to go in for that work as a branch of the Post Office. But do let us know what is going to take place. We should not, of course, act unfairly to the National Company; the National Company, as I have told your Lordships, have pooled their shares at an enormous value, though they have "watered" their capital. If you leave them in possession of their present monopoly, they would, I think, have a right to say afterwards: "What right have you to give those powers to another company, we having done the work upon the strength of the monopoly which we possess?" Now, my Lords, I think that the time has come when Her Majesty's Government should state what their policy is to be in this matter; whether they will grant facilities to other companies for the purpose of starting competition, which competition need not in the least interfere with the working of an efficient telephone system in this country, and yet which will give to the public the use of this valuable invention at the moderate sum of from £6 to £10 a year.

Moved, "That in consequence of the recent declaration of the Postmaster General in another place, that the Post Office do not intend to undertake the work of the telephone as a branch of that Department, it is advisable that licences be granted to responsible parties who will be willing to undertake the business of forming new telephone companies on the expiry of the present patents owned by the National Company; and that competition is advisable in the interests of the public in order that the present exorbitant rates may find their level."—(*The Duke of Marlborough.*)

*THE PAYMASTER GENERAL (The Earl of JERSEY): My Lords, I quite agree that the question which my noble Friend has raised is one of considerable interest, for anything which will improve the means of communication will always be welcome to the public. It is not necessary that I should follow at any length the remarks of the noble Duke, neither do I feel called upon to either defend or attack the existing companies. I have observed that the noble Duke has placed a construction upon the answer of the Postmaster General in another place which it can hardly be said to bear. The Postmaster General said that the Government did not intend to give notice to purchase the undertakings of the Telephone Companies at the end of the year; but that answer does not debar the Post Office from undertaking telephonic work in cases where it may be thought necessary or desirable. The Government do not intend to adopt the policy of purchase by the State of the Telephone Companies. To do so would be to involve the State in a gigantic enterprise into which the Government are not prepared to enter. But I think the answer which I have to give to the noble Duke is one of which he will approve. The policy which the Government intend to pursue is to grant licences to new companies which may apply for them, but, of course, each company will have to show that it is able to undertake the work for which it applies. The most important patent rights, which give a sort of monopoly to the present companies, will expire in the middle of next year, and then competition will most likely arise, and in that way the public will reap with the least possible risk the benefits which the noble Duke anticipates. I trust that the noble Duke will be satisfied with the statement I have made, and will not object to withdraw his Motion.

THE DUKE OF MARLBOROUGH: My Lords, the answer which the noble Lord has given is satisfactory as far as

our hopes are concerned. If the Postmaster General has arrived at a decision to give licences to other companies, that is a notice to the public generally that they are in a position to form companies if they wish; and, therefore, the notice which I have placed upon the Table of the House I now withdraw.

Motion, by leave of the House, withdrawn.

EDUCATION CODE (1890) BILL.
(No. 157.)

SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK): My Lords, the Bill which I have to propose for Second Reading is one which is necessary in order to give effect to the Code. I mentioned that on a former occasion, and I said then that the Bill which would be introduced was one of an uncontroversial character, which probably would meet with no opposition anywhere. That has been the case in the House of Commons, for the Bill comes up from the House of Commons with their approval, and I believe without any Division having taken place upon it. The first point of the scheme is that it is with a view to extending the operation and the advantages of evening schools, and to relieve them from the restriction which made it necessary that they should do elementary work. That is to say, the Bill will afford a better scope for the work of those schools. The other part of the Bill is for the purpose of removing the limit upon the 17s. 6d. grants formerly given to poorer schools. Those grants were formerly given in the cases of populations of 300; that is extended to 500. The only object is to make effective grants to those schools so that they shall not suffer from the operation of the 17s. 6d. rule. I hope that the schools will thereby be put in a better position than they are now, and that the small addition of money they will get will enable them to obtain better results and better teachers. I do not think I need add anything to the remarks I have made upon this occasion, and I beg to move the Second Reading.

Moved, "That the Bill be now read 2ª."—(*The Viscount Cranbrook.*)

*LORD NORTON: Though the noble Viscount has said there is no controversial matter in this Bill, I must ask your Lordships' leave to say a few words upon it before it is read a second time. This Bill, like most others of but few clauses, contains a considerable amount of principle in a very small compass. There are only two clauses in it, and the second clause, as the noble Viscount has said, merely gives a small sum to elementary schools in rural parishes. That is to say, the Bill offers a sop to stop the cry of managers of poor schools. It only illustrates the wretched mode in which we support the schools of this countrry, not by offering them fixed adequate means of meeting their requirements, but by dangling little prizes before them, like this £10 a year, to stimulate them in their work. But the other clause, the first one, does involve a considerable question of principle. It is the first avowed offer of Treasury grants for schools in which elementary education is not a principal part—as evening schools. This is a proposal very much to extend the principle of former Acts. The restriction of grants to elementary education is, in this case, to be abolished, and I think we may very well anticipate that, having been abolished in evening schools, it will not be long before it will be abolished in other schools also. When Parliament has once handed over a subject to a Department, anything may be done by official schemes, without any practical check on the part of Parliament. I am as strong in favour of the extension of higher education throughout the country as anybody can be; but the question is how, and where, and what are the best means, and how not to stand in the way of better means. With regard to evening schools the Royal Commission on Education reported that the only purpose for which they were required was to fix the instruction which is found to be so soon forgotten on leaving elementary schools. The evidence before the Royal Commission showed that the attempted evening schools had utterly failed all over the country; that they had actually disappeared in places like Birmingham, no scholars could be induced to attend them. In fact, wherever

they had been tried they had failed throughout the country; and the conclusion of the Commissioners was that if they are to be revived it must be by some fresh stimulus being given. The recommendation was that more encouragement should be given by larger Treasury grants, and by a freer curriculum of study. They stated that the schools were discouraged by the obligation to keep up elementary subjects. The Bill, therefore, proposes in this 1st clause to give higher instruction without the acquisition of elementary subjects; that we should, in fact, give higher education in evening schools without the obligation to keep up the instruction previously given. This Bill, therefore, proposes to supply higher education by the Treasury, without insisting on the main elementary condition—a sort of educational top-storey where the bottom has mostly perished. The Vice President in the other House, in defending this, said there was a huge gap between the time when the children left the schools and the time when they got employment, and that that gap must be filled up by these schools. But that is based upon the idea that all children are to go on to higher employment; that, in fact, manual labour, which, after all, must be the lot of three-fourths of every community, is degrading. It seems to me that children, who are capable of more skilled employment, should go to higher schools; not to these evening schools, and that that part of their education should not be undertaken by the Government. I do urge that the education of those who are preparing for higher employment should be given in such schools as are being voluntarily provided all over the Kingdom, if the Government would not profess to undertake them. As to those children who go early to manual work from school, it is no use proposing that after their day's hard work—and remember that that work is in itself an education—such children should be sent to school at night! We are expecting from this class of children more than we expect from our own children, that they should be engaged in the work of life, and in literary education also. If there is to be any provision for them in the way of education during the evenings after their weary day's work until they go to bed, it should be by such recreative occupation as proposed by Lord Meath, in the shape of light and popular reading and such games as chess or draughts. I think, therefore, that this clause will come to nothing. There is a great deal more of alteration and novelty included in the Votes of the other House for education, such as £3,000 for technical schools, not yet defined, and as yet non-existent. It is assumed that they will arise under the Mushroom Act which passed the Commons in the last week of last Session, and in this House went through all its stages in 20 minutes. I believe myself that these provisions for evening schools will be as illusory as the Technical Instruction Act has been. It is not at all by way of grudging higher education to all those who can make use of it that I suggest a better way. Attempts to revive evening schools and larger grants, and release from elementary grounding, will not promote, but will very much hinder, real education. I only hope myself that, whatever measure Parliament may pass, the good sense of the country will bring out something more practical than that which is proposed in this Bill.

Lord Norton

On Question, agreed to.

Bill read 2ª (according to order), and committed to a Committee of the whole House on Thursday next.

PARTNERSHIP BILL.—(No. 153.)

Read 3ª (according to order), and passed, and sent to the Commons.

SUPERANNUATION (WAR DEPARTMENT) BILL.—(No. 118.)

SECOND READING.

Order of the Day for the Second Reading read.

*The Earl of JERSEY: My Lords, this is a measure which is intended to settle the pensions of certain workmen in the manufacturing and store establishments of the War Department. Those workmen who entered before December, 1861, were provided for by the Act of 1873. This Bill allows the men who entered between December, 1861, and June, 1870, to count for pension their service up to 1889, as it is open to doubt

whether they were made aware at the time of the alterations made in the pension system. The matter has been very carefully considered. The Government are anxious to meet the claims put forward on behalf of the men in a fair and equitable manner, and have, therefore, introduced this measure.

Bill read 2ª (according to order), and committed to a Committee of the whole House to-morrow.

WORKING CLASSES DWELLINGS BILL.
(No. 107.)

Bill read 3ª (according to order), and passed.

COMMITTEE OF SELECTION FOR STANDING COMMITTEES.

Report from, That the Committee have added the Lord Tyrone (*M. Waterford*), the Lord Coleridge, the Lord Esher, and the Lord Morris to the Standing Committee for General Bills for the consideration of the Sheriffs (Assizes Expenses) Bill; read, and ordered to lie on the Table.

House adjourned at a quarter past Five o'clock, till To-morrow, half past Five o'clock.

HOUSE OF COMMONS,

Monday, 7th July, 1890.

QUESTIONS.

CHARITY AT LILBOURNE.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the hon. Member for Penrith (Mr. J. W. Lowther) whether he is aware that for 19 years, since the 27th January, 1871, when a scheme for the regulation of the Poor's Land Charity at Lilbourne, in the County of Northampton, was established, the incumbent, churchwardens, and overseers, as Trustees of the Charity, have annually applied out of the income of the Charity, towards the expenses of the parish school, the sum of £5, in addition to the sum of £20, which they are authorised under the scheme to apply for the benefit of the school; and that the Trustees have, since the date of the scheme, paid £10 annually out of the income of the Charity to the churchwardens, but that they have applied only a portion thereof towards the maintenance or repair of the fabric of the parish church, and that a considerable amount has been applied towards the general expenses of the church; whether such application annually of such sums of £5 and £10 is in accordance with the provisions of the scheme; and whether the Commissioners will take steps to ascertain the amount of, and to recover, the part of the income which may have been improperly applied, and devote it according to the provisions of the scheme for the benefit of deserving and necessitous inhabitants of the parish?

MR. J. W. LOWTHER (Cumberland, Penrith): From an examination of the accounts it appears that since 1877 £25 has annually been spent upon the school, and that since 1880 £10 has annually been spent upon church expenses. Payments for the school above £20, and on church expenses as distinct from the maintenance or repair of the fabric of the church, are not in accordance with the scheme. Explanations will be asked for from the Trustees, on the result of which any further action by the Commissioners must depend.

INDIAN COUNCILS BILL.

MR. BRADLAUGH (Northampton): I wish to ask the First Lord of the Treasury to what day he intends to postpone the Second Reading of the Indian Councils Bill?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): Until Monday, Sir.

VETERANS WHO SERVED IN THE CRIMEAN WAR AND INDIAN MUTINY.

MR. EDMUND ROBERTSON (Dundee): I beg to ask the Secretary of State for War whether his attention has been called to the necessitous circumstances of many of the veterans who served in the Crimean War and Indian Mutiny; and whether he can now promise any measures for their relief?

MR. NORRIS (Tower Hamlets, Limehouse): I beg to ask the Secretary of State for War if he has considered further

the claims of the old soldiers who were engaged in the Crimean Campaign and the Indian Mutiny, and many of whom are now incapable of work and in want, and if there are any funds available for their relief; and, if not, whether the Government will award moderate pensions to those men who are found to be deserving?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I am afraid that I can add little or nothing to the answer which I gave to a similar question on the 1st of May last. I asked the hon. Member for Dundee (Mr. Robertson) to postpone his question, as I am anxious to ascertain whether, in any of the cases which have been brought before me by letter, there are special circumstances of an urgent character which would justify me in setting aside the Regulations. I do not find that there are any special circumstances, but, on the other hand, I do find that the cases are such that it would be difficult to defend the grant of any pensions at all.

THE NAVAL MANŒUVRES.

MR. GOURLEY (Sunderland): I beg to postpone until Friday the question on the Paper in my name, to ask the First Lord of the Admiralty about what time he intends holding the forthcoming naval manœuvres; how many and what type of ships are to be mobilised, and whether it is correct that the date has been postponed owing to many of the vessels having to be longer under repair than anticipated; and whether, with the large addition to the Navy of ocean cruisers, he will consent to extend the scope of the experimental operations to the protection of the leading food and cotton ocean routes, notifying to commanders of British shipping that they will be expected to avoid, as far as practicable, nominal capture by hostile experimental cruisers?

EMIGRATED PAUPER CHILDREN.

MR. S. SMITH (Flintshire): I beg to ask the President of the Local Government Board whether he can state the number of pauper children emigrated to the colonies during the last 12 months; and whether the modification of the Rules laid down by the Local Government Board in 1887 has perceptibly affected the progress of this movement?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): The number of pauper children emigrated to Canada during the year ended December, 1889, was 428. The number during 1886, the year which preceded the issue of the revised conditions, was 164.

THE SCOTCH UNIVERSITY COMMISSION.

MR. BRYCE (Aberdeen): I beg to ask the Lord Advocate whether it is the intention of the Scottish University Commissioners to publish within a short time the evidence which they have taken on the subject of tests in the Faculty of Divinity, and possible changes in the arrangements of that Faculty, having regard to the interest felt in the matter in Scotland, and to the desirability of eliciting expressions of public opinion on the subject before the Report which the Commissioners have been directed to make on this subject is prepared and submitted to Her Majesty?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I have no doubt the Commissioners will present the evidence to Her Majesty along with the Report; but I am not aware of any authority enabling the Commissioners to issue the evidence before their Report is presented in terms of the statute.

DELAGOA BAY RAILWAY.

MR. PAULTON (Durham, Bishop Auckland): I beg to ask the Under Secretary of State for Foreign Affairs whether there is any prospect of a settlement of the Delagoa Bay Railway question; and whether, in view of more than a year having elapsed since the seizure of the line by the Portuguese Government, Her Majesty's Government see their way to compel the Portuguese Government to settle equitably the claims of English investors thus illegally deprived of their rights and property?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The Portuguese Government have accepted in principle the proposals of Her Majesty's Government and the United States Government for the settlement by international arbitration of the amount of

compensation to be paid to the English and American claimants. Further proposals have been made by the two Powers as to the choice of the Power which will be asked to appoint arbitrators, and we are waiting for the reply of the Portuguese Government on that point. A telegram was sent on Friday to Lisbon pressing for an answer.

POSTAL ARRANGEMENTS IN SOUTH UIST.

MR. FRASER-MACKINTOSH (Inverness-shire): I beg to ask the Postmaster General if he will explain why and at whose instance the former convenient arrangement of having a post and telegraph office in the populous district of Howmore, in South Uist, has been altered, and a change made to Grogarry, which, though the occasional residence of the proprietrix, has no surrounding population; whether it is the fact that the telegraph office is part of Grogarry House; and by whom is it at present kept?

A LORD OF THE TREASURY (Sir H. MAXWELL, Wigton.): In the absence of the Postmaster General I wish to say that in the year 1880 the telegraph was extended to Howmore and two other places in the Hebrides on an agreement for seven years being entered into by Lady Gordon Cathcart to contribute a substantial sum to the expenses. When this agreement expired the line was still not self-supporting, and the question of closing the offices presented itself. Lady Gordon Cathcart was, therefore, invited to continue to contribute to the expenses, and she consented on the condition that the telegraph should be removed from Howmore to Grogarry. An office for postal business has, however, been retained at Howmore, and if the persons resident at that place are prepared to enter into the necessary guarantee, the Postmaster General will be glad to consider the question of re-establishing telegraph business there. The telegraph office at Grogarry is half a mile distant from Grogarry House, and is at present kept kept by Mr. Ewan C. Macrory.

THE CROMER CHURCH SCHOOL.

MR. COZENS-HARDY (Norfolk, N.): I beg to ask the Vice President of the Committee of Council on Education whether his attention has been called to the fact that girls are refused admittance to the Cromer Church School unless they wear white pinafores; and whether it is lawful, or in accordance with the Regulations of the Education Department, to turn away a child from a public elementary school upon the sole ground that its parents object to provide a particular costume?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): I am informed by the manager that no girl has ever been refused admittance to the Cromer Church School for not wearing a white pinafore: such a ground of exclusion would not constitute a reasonable excuse under Article 89 of the Code.

CAB DISTANCES IN LONDON.

MR. CHANNING (Northampton, E.): I beg to ask the Secretary of State for the Home Department what is the date of the last certified table of distances measured by the authority of the Commissioner of Police, under the Metropolitan Public Carriage Act; and whether there has been a re-measurement of distances since the opening of Shaftesbury Avenue, Constitution Hill, and other new thoroughfares; and, if not, whether a new measurement will now be made?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am informed by the Commissioner that the last issue of the book of table of distances was in 1878, the measurements being then up to date. A revision is now being made of all the tables, which are 10 years old, and the revised measurements will be according to the nearest routes.

OUTRAGES UPON ARMENIANS.

MR. FRANCIS STEVENSON (Suffolk, Eye): I beg to ask the Under Secretary of State for Foreign Affairs whether he has any further information to communicate to the House as to the recent outrages committed upon Armenians in and near Van?

*SIR J. FERGUSSON: No further information has yet been received.

MR. FRANCIS STEVENSON: May I ask the right hon. Gentleman whether, in view of the continued refusal of the Turkish Government to carry out the reforms which they are bound by the

Anglo-Turkish Convention of 1878 to effect in Armenia, Her Majesty's Government still hold themselves bound by that Convention?

*SIR J. FERGUSSON: It is impossible to answer such a question until we know what are the circumstances under which the supposed appeal of the Anglo-Turkish Convention is made.

SLAVE TRADE.

MR. SAMUEL SMITH: I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been drawn to the large number of slaves carried across the Red Sea, which is estimated at from 2,000 to 5,000 a year, for the purpose of supplying the harems of the wealthier classes of Turkey and Arabia with children of both sexes; whether he is aware that only 37 children were released at Aden last year, all of whom had to be sent to hospital in consequence of the treatment they had received; whether it is true that there is only one English man-of-war available for the suppression of this traffic, and that the steam launch belonging to her is worn out, so that only open boats are available for checking this traffic, and whether the Government will adopt more active measures, especially in concert with the Italian Government, to suppress this inhuman traffic?

*SIR J. FERGUSSON: (1) Report from the officers employed in the Red Sea state there is large traffic in slaves, disguised as pilgrims and otherwise. (2) We have no information as to the exact number of children released at Aden last year. (3) There is only one vessel, H.M.S. *Dolphin*, at present employed in the Red Sea in the neighbourhood of Suakim; but no information has been received by the Admiralty as to her steamboat being defective. A defective boat would be immediately replaced on demand of the officer in command. (4) Italy acceded in 1885 to the Slave Trade Treaty Act. Her Majesty and the Sultan and the two Governments have since been acting in concert for the suppression of the Slave Trade in the Red Sea. When the General Act, recently signed at Brussels, comes into operation it is hoped that the regulations which have been adopted by all the Powers will tend to the complete suppression of the Slave Trade.

CHRIST'S HOSPITAL.

MR. CAUSTON (Southwark, W.): I beg to ask the Vice President of the Committee of Council on Education whether, in order to avoid further delay in putting into operation the new Christ's Hospital Scheme, he will arrange that the various bodies entitled to elect representatives as Governors shall make their selections before the rising of Parliament?

*SIR W. HART DYKE: Until the scheme has received Her Majesty's approval no steps can properly be taken for carrying out its provisions. After the scheme is approved the Education Department is no longer charged with the matter, and it will then be the duty of the Charity Commissioners to see that the scheme is duly put into operation and to make the necessary arrangements for that purpose.

DISORDERS IN CRETE.

MR. LEVESON GOWER (Stoke-upon-Trent): I beg to ask the Under Secretary of State for Foreign Affairs whether he has any information which confirms the statements of the correspondent of the *Times*, in the issue of 4th July, that disorder and outrage are generally prevalent in Crete; whether Her Majesty's Government can inform the House as to the truth of the reported murder and mutilation of a Christian of Kuma, named Ciklahi, the killing of a child of 18 months in the arms of its mother, and the killing of one Andrea Ghiparis, by a detachment of gendarmery; whether they have any knowledge as to the alleged prolonged torture and murder of two Cretan Christians, within a few minutes' walk of a Turkish military post at Caro Crios, in the South-West of the Island; whether rifles and ammunition have been landed on the Coast of Kissamos, and hostilities have already taken place between the Albanians and Sphahiotes; and whether, with a view to preventing a repetition of the massacres perpetrated in time past at Scio, Batah, and in Crete itself, by the Turkish troops and auxiliaries, Her Majesty's Government will consider the advisability of ordering some portion of the Mediterranean Squadron into Cretan waters, as some protection to the Christian population of the Island?

*SIR J. FERGUSSON: (1) Murders of both Christians and Mussulmans are, unfortunately of common occurrence, but, Her Majesty's Consul reports that since June 17th public tranquility has not been disturbed. (2) The Christian and Mussulman accounts of this incident differ, but Her Majesty's Consul reports that the following facts are admitted on both sides: A squad of gendarmes, under a native Major, going their rounds, met an armed Christian, who, refusing to stop when challenged, was shot at and killed. The deceased proved to be a certain Russo Tsichlaki, of the village of Kourra. His body was removed to his house. A crowd assembled, and three of the dead man's companions fired on the gendarmes. The latter returned the fire, one bullet passing through the arm of a woman, killing her child whom she was carrying, and another bullet through the neck of a man named Andrea Ghiparaki, who has since died of his wound. The gendarmes subsequently retired from the village. The Major in command on this occasion has been recalled. (3) Towards the end of May two Christians were murdered, it is believed by soldiers, in the district of Selinos. This is probably the case referred to. The murderers have not been discovered, but the commanding officer has been imprisoned for neglect of duty. (4) Early in June some armed outlaws landed in Crete. They are being hotly pursued, and have not been joined by the population. (5) Her Majesty's Government do not consider that the state of Crete calls for the despatch of a British Squadron to Cretan waters.

THE BRITISH SOUTH AFRICA COMPANY.

MR. BAUMANN (Camberwell, Peckham): I beg to ask the Under Secretary of State for the Colonies whether he is aware that Sir Sidney Shippard has recently been in the Bechuanaland Protectorate trying to persuade certain chiefs to grant the British South Africa Company rights and facilities of constructing a telegraph line, which are inconsistent with the concessions already granted by those chiefs; whether it is part of the duty of the Administrator of Bechuanaland to act as the agent for the British South Africa Company; whether this conduct is held to be compatible with Clause 2 of the charter which provides

> "That nothing herein contained shall prejudice or affect any other valid or subsisting concessions or agreements which may have been made by any of the chiefs or tribes;"

and whether the Secretary of State will see that the rights of concessionaires are respected by the company, in accordance with the terms of its charter?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): The construction of the telegraph line in question was under consideration by Her Majesty's Government in the early part of last year as a Government work, but it was arranged that its construction should be undertaken by the British South Africa Company. The line is practically a Government concern, and, as it is essential to the policy of Her Majesty's Government, it will be carried on with or without the chiefs' consent. Sir S. Shippard has recently been in the Protectorate with the view of obtaining their willing assent to the work, and it is not anticipated that they will ultimately oppose it. As regards the 2nd and 3rd paragraphs of the question, the duties of the Administrator in relation to the company are prescribed in Clause 30 of the charter. His recent conduct is not inconsistent with Clause 2 of the charter. In answer to the last paragraph, I have to state that Her Majesty's Government intend to give effect to the terms of the charter.

THE METROPOLITAN POLICE.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the Secretary of State for the Home Department if he will make further inquiries into the alleged destruction of a Petition by Police Inspector Wakefield, at the Hunter Street Office, as some of the constables declare that he destroyed a signed Petition, and not merely a printed form, as stated by the Home Secretary?

MR. MATTHEWS: I have nothing to add to the answer which I gave to a similar question on Thursday. I have satisfied myself that the Petition was accidentally torn, not wilfully destroyed, by the Inspector, and I do not propose to make any further inquiry into the matter.

MR. H. LAWSON (St. Pancras, W.): I wish to ask whether the Home Secretary can give the House any information as to the threatened strike of the Metropolitan Police, whether the statements in the newspapers are true, and what course the authorities intend to take with regard to it?

MR. MATTHEWS: The reports in the newspapers have been greatly exaggerated. Thirty-nine constables were guilty of insubordination by refusing to go on duty, on Saturday night, at Bow Street. Their cases have been considered by the Commissioner this day, and they have been dismissed the Service. They are nearly all young men who have not been long in the Force. The constables of longer standing and experience have behaved in a manner more worthy of the traditions of the Metropolitan Police, and have exhibited no insubordination. Every arrangement has been made for the due performance of police duties throughout the Metropolis.

MR. CUNINGHAME GRAHAM: May I ask whether the reason for the alleged insubordination of these men, and their consequent dismissal, did not arise out of their dissatisfaction with regard to the Petition which I have several times mentioned to the right hon. Gentleman?

MR. MATTHEWS: No, Sir; the dissatisfaction of these men arose from the fact that a constable was transferred from the E Division to another Division. The Petition to which the hon. Member refers had nothing to do with it.

MR. PICKERSGILL (Bethnal Green, S.W.): I wish to ask whether the facts are not these—that the constable had been circulating a copy of the Petition; that he was summoned to Scotland Yard, and was informed by the authorities there that the circulating of that Petition was grossly insubordinate? How does the right hon. Gentleman reconcile the statement of the authorities with the statement he himself made in the House that the police were perfectly entitled to petition?

MR. MATTHEWS: What I said was that the police were perfectly at liberty to address Petitions to me, or to the Commissioner, in any sense they thought fit within their own divisions. The constable who was transferred had gone to a station where he had no right to be, and where, without the permission of the Inspector, he had canvassed among the men. He had, moreover, solicited subscriptions of money without the permission of the Commissioner. For this grave breach of duty he was transferred.

EJECTMENTS IN ST. LUKE'S.

MR. J. ROWLANDS (Finsbury, E.): I beg to ask the Secretary of State for the Home Department whether he is aware that the landlord of a number of small houses in the neighbourhood of Golden Lane, St. Luke's, is trying to drive out his tenants by stripping the roofs of the houses; whether he is aware that the landlord has not applied to the Magistrate in the regular way for an order for ejectment; and whether the landlord is justified in thus exposing the tenants to the inclemency of the weather without an order from the Court? I have also to ask the right hon Gentleman whether his attention has been drawn to the fact that a large number of poor tenants in the neighbourhood of Golden Lane, St. Luke's, are being turned out of their houses, the landlord having given the tenants notice to quit, but the tenants, not being able to get other places by the time of the expiration of the notice, the landlord has commenced taking the roofs off, thus causing great suffering from the storms of the past few days; and whether he has any power to take action to prevent the landlord clearing his property in this manner?

MR. MATTHEWS: Due notice to quit was given to the tenants some five weeks ago, with the result that the better class of tenants have given up possession and have left. The remaining number, who refuse to leave, have, it appears, been tempted to continue in occupation in consequence of the fact that the landlord has not asked for any rent since the notice to quit was given. Arrangements have been made for clearing the site, but only the empty houses have hitherto been pulled down. I am informed that the roofs of the houses still occupied have not been taken off, nor has anything been done, except to remove a gutter which was in danger of falling. No Magistrate's Order has yet been applied for, as empty houses only have been pulled down, but it is proposed to obtain an Order without delay in respect of the

houses which yet remain occupied. The houses are being taken down solely for reasons of public health, and in order to comply with the requirements of the Sanitary Laws. Upon these facts the landlord does not appear to have done anything contrary to law.

MR. J. ROWLANDS: Is it not the fact that all the houses in the neighbourhood are of the same class and the same rental; and is it not also the fact that the gutters upon the roofs of these houses have been stripped away and the tiles removed to such an extent that, on Saturday week, the water poured into the houses, and the children had to be taken out of their beds, undressed, and removed to neighbouring houses? Further, is it not the fact that this was done by the landlord without any authority from the Magistrates to evict these people?

MR. MATTHEWS: I have given the hon. Gentleman the whole of the information I am possessed of, namely, that the gutter belonging to seven houses has been removed.

MR. J. ROWLANDS: Was not the gutter deliberately taken away?

MR. MATTHEWS: I have already said so. It was taken away because there was danger that it would fall.

MR. J. ROWLANDS: Was it not taken away deliberately, so that these people might be driven out of these houses?

MR. MATTHEWS: I have made the best inquiry I can, and that is not the information I have received.

MR. CUNINGHAME GRAHAM: In taking away the gutter was not the landlord acting beyond his legal right?

[No answer was given.]

THE WEST HIGHLANDS AND ISLANDS COMMISSION.

MR. FRASER-MACKINTOSH: I beg to ask the First Lord of the Treasury whether any Report, interim or final, has been received from the West Highlands and Islands Commissioners; and, if not, whether an effort to expedite the issuing will be made, so as to permit of legislation on the matters involved during the present Session?

*MR. W. H. SMITH: I have reason to believe that the Report of the West Highlands and Islands Commissioners will shortly be in the possession of the Government, who must consider it before they can decide upon the steps which may be right to be taken upon it.

ST. JAMES'S PARK.

MR. BRADLAUGH: May I ask the Home Secretary whether the regulations with regard to the use of the Parks have been changed by his directions to-day, so that Members coming to this House have been prevented from driving, as they usually do, through St. James's Park?

MR. MATTHEWS: No, Sir; not that I am aware of.

WALFISCH BAY.

MR. STANLEY LEIGHTON (Shropshire, Oswestry): I beg to ask the First Lord of the Treasury whether it is the case that Her Majesty's Government have made proposals to the Cape Government for a modification of the frontier of Walfisch Bay, now a British port in Damaraland; whether the Cape Government strongly object to such modification; whether the modification is still contemplated, with or without the acquiescence of the Cape Government; whether the proposals made by Her Majesty's Government involve the cession of water stations inland, of the utmost importance to the district and port; and whether he will place in the Tea Room a map of the present British territory of Walfisch Bay as it was originally delimited by Colonel Phillips, R.E., and the German Commissioner, together with the proposed alterations?

*MR. W. H. SMITH: The question of the hon. Member is based on a misapprehension of the facts. The southern boundary of the Walfisch Bay territory has, unfortunately, not been accurately defined. Discussions have consequently arisen between the Authorities of the Cape and the German Authorities in Damaraland, as to whether it includes certain land which, as a water station, is of importance to the road from the coast to the interior. Her Majesty's Government have invariably supported the view of the Cape Government, and have never proposed a settlement in favour of Germany. An attempt to settle the difference by a Joint Commission failed, as Colonel Phillips, the British Commissioner, and his German colleague

could not agree. Provisions for referring the matter to arbitration are inserted in the Anglo-German Agreement. No such map as is indicated can be furnished, as no joint delimitation has ever been made. The views of the Commissioners were hopelessly divergent.

THE ROYAL IRISH CONSTABULARY.

MR. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the Attorney General for Ireland how many of the 36 County Inspectors, of the 90 first-class District Inspectors, and of the 90 second-class District Inspectors of the Royal Irish Constabulary have received those appointments since 1st July, 1887; and how many of the third-class District Inspectors have received those appointments since 1st July, 1887, from the Classes (a), (b), and (c), respectively, mentioned in answer to a Question on 25th July, 1889 (*Hansard*, vol. 338, column 1247-8)?

THE ATTORNEY GENERAL FOR IRELAND, (Mr. MADDEN, Dublin University): The Constabulary Authorities report that since July 1, 1887, the following appointments referred to have been made: namely, to the position of County Inspector, 6; first-class District Inspector, 28; second-class District Inspector, 31; third-class District Inspector, 41. The 41 third-class District Inspectors were appointed from the Classes referred to as follows:—From (a), sons of Constabulary officers, 10; from (b), gentlemen other than sons of Constabulary officers, 22; from (c), Head Constables, 9.

MR. J. E. ELLIS: I beg to ask the right hon. and learned Gentleman what is the maximum number of members of the Royal Irish Constabulary who have been permanently stationed in Great Britain during the years 1887, 1888, 1889, and 1890; and where are those now in Great Britain stationed?

MR. MADDEN: The maximum numbers of members of the Royal Irish Constabulary who have been permanently stationed in Great Britain during the years mentioned, are as follows:—1887, 29; 1888, 27; 1889, 25; 1890, 23. It would be inexpedient to give the information asked in the second paragraph, as the doing so would be calculated to defeat the object with which the men are stationed in Great Britain, namely, the apprehending of absconding criminals from Ireland.

MR. SHAW LEFEVRE (Bradford, Central): I beg to ask the right hon. Gentleman whether he can state the number of men of the Irish Constabulary, who, with their relays, are employed in watching at the various railway stations of Ireland; also the number who are employed in watching farms from which tenants have been evicted, and which are derelict?

MR. MADDEN: The Constabulary Authorities report that it would not be practicable to state the number of men who attend at railway stations in Ireland, as it daily varies according to the other duties to be performed. The practice is for one or more members of the Force to attend the arrival and departure of trains when the station is near their barrack, and when their doing so would not interfere with other duties. They further report that no members of the Royal Irish Constabulary are employed in watching derelict farms; but when caretakers in charge of such farms are in danger they are watched, and protection is afforded either constantly or by patrols.

ENNIS ABBEY.

SIR J. LUBBOCK (London University): I beg to ask the Secretary to the Treasury whether his attention has been called to the state of the ruins of Ennis Abbey; and whether they could be placed under the protection either of the Irish Church Act or of the National Monuments Act?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): Ennis Abbey is not one of the structures vested in the Board of Works, Ireland, by the Irish Church Temporalities Commission for preservation as a national monument, nor has it been scheduled as a monument for maintenance under the provisions of the Ancient Monuments Protection Act, 1882; and I am informed that the Board are advised that abbeys and structures of that character do not come within the scope of that Act.

CHARGE OF FORGERY AGAINST A POLICE SERGEANT.

MR. P. J. O'BRIEN (Tipperary, N.): I beg to ask the Attorney General for Ireland whether he can now state the

result as to the inquiries of Police Authorities into the cases of charges of forgery and fraud against Sergeant Lord, of Lorrha, County Tipperary; and whether the Government mean to take any action in the matter?

MR. MADDEN: I must ask the hon. Member to postpone the question. I have not yet been able to obtain information.

OUTRAGE IN CLARE.

MR. COX (Clare, E.): I beg to ask the Attorney General for Ireland whether Mr. William Blood, of Cranaber, County Clare, was twice fired at within the past 12 months while under protection of the police, first on the public highway in the middle of the day, and secondly into Mr. Blood's house while he was sitting at the fire; what was the pattern of the bullets found in the house and alleged to have been fired; whether any investigation as regards the police on protection duty was made; and, if so, with what result; and whether any arrests were made in connection with either of the alleged outrages? In putting this question, I wish to know why the language of it has been altered from that which appeared in the Votes, and was distributed to Members on Friday morning, and who is responsible for the sub-editing of it?

*MR. SPEAKER: I am not aware; but, if necessary, I will make inquiry.

MR. COX: Then I will put the question as it stands on the Paper.

MR. MADDEN: The Constabulary Authorities report that the facts are as stated in the first paragraph. The bullets found were of ordinary make, and not of any special pattern. No investigation was made into the conduct of the police in connection with the outrages, nor was there any necessity for such. Three arrests were made in connection with the first outrage, and one in connection with the second.

MR. COX: How does the right hon. Gentleman account for the answer which he gave to a question of mine on Thursday last, that there were no persons under police protection in the County of Clare?

MR. MADDEN: I gave the information which was supplied to me.

MR. COX: Was there not a man arrested and charged with the outrage on the ground that he was an evicted tenant of Mr. Blood's?

MR. MADDEN: I believe that there was a man charged.

LAND COMMISSION—MR. SUB-COMMISSIONER FRAZER.

MR. W. A. MACDONALD (Queen's Co., Ossory): I beg to ask the Attorney General for Ireland whether it is true that Mr. Robert Frazer has recently been appointed a Sub-Commissioner to fix fair rents; whether this is the same Mr. Frazer who formerly applied to have a fair rent fixed on a farm near Donaghmore which he held from the Dowager Lady Castletown, with regard to whom the Chairman of the Sub-Commission said—

> "We have had frequently Mr. Frazer, the tenant of this farm, before us as a valuer, generally for landlords, and certainly, if we took his valuations as a standard to base the value of this land on, we should be obliged to increase instead of decrease the rent. However, we give him the benefit of our own estimation of its value and reduce the rent. We must say we consider this the worst managed farm we have come across for a long time;"

and whether he can state what Mr. Frazer's qualifications are for the office to which he has been appointed?

MR. MADDEN: The Land Commissioners request that this question may be deferred until Thursday next, in order that they may make the necessary inquiries.

LAND COMMISSION—MOUNTMELLICK UNION.

MR. W. A. MACDONALD: I beg to ask the Attorney General for Ireland whether he can state how many cases of tenants from the Mountmellick Union, who had served originating notices to have fair rents fixed, were heard by the Sub-Commissioners sitting at Maryborough last month; how many cases were postponed; and why the case of Mr. Carrol, of Gossbrook, in the Mountmellick Union, who served an originating notice to have a fair rent fixed as long ago as October, 1887, has not yet been heard?

MR. MADDEN: The Land Commissioners request that this question

may be deferred until Thursday next, in order that they may communicate with the Sub-Commission concerned.

IRISH UNIONS.

MR. W. A. MACDONALD: I beg to ask the Attorney General for Ireland whether his attention has been called to a series of resolutions recently passed by the Roscommon Board of Guardians, and unanimously approved by the Guardians of the Mountmellick Union, of which the following is a summary:—That the number of workhouses being now greatly in excess of the requirements of the poor, most (if not all) of the additional Unions established by the Boundary Commissioners in 1848 should be amalgamated with the adjoining Unions, and their workhouses closed or applied to other purposes; that some of the workhouses might be usefully employed for the reception of pauper idiots and lunatics; that others might be converted into male and female district schools where the pauper children, whose education is at present most defective, might receive a suitable literary and industrial training; and whether he will consider the practicability of carrying out these recommendations?

MR. MADDEN: The resolutions referred to were duly received by the Local Government Board. The general question of the amalgamation of Unions in Ireland has already engaged the attention of the Irish Government, but it is a subject not without difficulty. They hope, however, to take the first opportunity of again considering the matter.

VOLUNTEERS IN IRELAND.

MR. W. A. MACDONALD: I beg to ask the Secretary of State for War whether his attention has been called to the fact that while there is a Volunteer Force in England and Scotland there is none in Ireland; whether he can state the reason for this difference; and whether the Government will take steps to have Ireland placed in this respect on an equality with the other parts of the United Kingdom?

*MR. E. STANHOPE: I do not think I can do better than quote *verbatim* the reply made to a similar question when the right hon. Gentleman the Member for Mid Lothian was Prime Minister. The answer was that—

"It would be remembered that in 1863 the Government of Lord Palmerston declined to extend the Volunteer system to Ireland, not because there was any reason to doubt the loyalty of the great majority of the Irish people, but because, on account of the unfortunate existence of strong religious dissensions in that country, there was great danger of the Volunteer Corps assuming a sectarian character, and of collisions and breaches of the peace resulting therefrom. It was hoped this circumstance might not constitute a permanent obstacle to the raising of Volunteer Corps in Ireland; but the state of things at the present time could not be said to be so completely altered as to enable the Government to sanction the formation of Volunteer Corps in Ireland."

It seems to me that the grounds for this decision are at least as strong now as in 1871, and I cannot advise my Colleagues to reverse it.

*MR. W. A. MACDONALD: Does that reason apply in the South and West of Ireland, where the people are nearly all of the same religion?

*MR. E. STANHOPE: It would not be possible to have a decision varying with different parts of Ireland.

MR. E. HARRINGTON (Kerry, W.): Would not the same reasons apply to the Militia?

*MR. E. STANHOPE: The Militia are organised in a totally different way from the Volunteers.

RAILWAY IN DONEGAL.

MR. CLANCY (Dublin Co., N.): I beg to ask the Secretary to the Treasury whether the Treasury are asked to provide money for the rolling stock as well as for the construction of the Killybegs line; and, if so, what is the advantage of its being promoted by the West Donegal Railway Company instead of by a separate Company; whether the Board of Works in their Report recommended alterations in the plans of the promoters, which were outside their limits of deviation, and consequently impossible to be carried out; whether the Treasury will make it a condition of their agreement that the Board of Works' Report on those deviations shall be complied with; whether he is aware that this line has the worst engineering features of any of the Light Railway projects, more than one-half its length being on gradients varying from 1 in 60 to 1 in 40;

whether the line serves any congested district or any existing fisheries, and what is the character of the property through which it passes; and whether the engineering of the Killybegs line will be put up to competition?

MR. JACKSON: The answer to the hon. Member's first question is in the affirmative. There is an obvious advantage in the line being promoted by the Company of whose line it is an extension, and which will be able to ensure harmonious working. On the suggestion of Major General Hutchinson alterations were recommended by the Board of Works which are outside the limits of deviation, but the consent of all parties was obtained, and the alteration was sanctioned by the Grand Jury and will be carried out. Gradients of from 1 in 60 to 1 in 44 occur over rather less than half the length, but there is a 1 in 40 gradient for about a mile. Other light railways and tramways are working with worse gradients. The line will serve a large congested district in the South West of Donegal. As regards fisheries, if the hon. Member will refer to page 37 of the Report of the Inspectors of Irish Fisheries for 1889, which was issued a few days ago, he will find that in the Killybegs Division there are 142 fishing boats and 817 men registered, and that there are considerable fisheries in Donegal Bay, Inver Bay, at St. John's Point, at Killybegs, Teelin, Tawny, and Malinmore. The Inspectors state that the fishermen at St. John's Point suffer from not having a market for their fish, being now about 20 miles from a railway station. I have answered on a previous occasion the last paragraph of the hon. Member's question.

MR. CLANCY: Does the property through which this line is to pass consist of estates belonging to some half dozen of the supporters of Her Majesty's Government?

MR. JACKSON: I have no information on that point. The fact has not been brought to my notice.

MR. CLANCY: Did the right hon. Gentleman inquire as to the character of the property through which it is to pass?

MR. JACKSON: The property is described as an improving and improvable property.

MR. CLANCY: Why has not the engineering of the line been put up to competition?

MR. JACKSON: I answered that question on a previous occasion.

MR. CLANCY: Is Mr. Barton the only engineer in Great Britain or Ireland with whom no competition is to be allowed?

MR. JACKSON: I take it that an engineer who has promoted the line, and who has been designated by the Grand Jury and by an Order in Council, is a proper engineer to appoint.

MR. CLANCY: I beg to give notice that upon the Estimates I will call attention as fully as I can to this scandalous job.

MR. T. M. HEALY (Longford, N.): How much money are the Treasury going to give Mr. Barton in connection with this line?

[No reply was given.]

ALLEGED INSUBORDINATION IN THE GRENADIER GUARDS.

MR. CUNINGHAME GRAHAM: I wish to ask the Secretary of State for War whether his attention has been called to a paragragh in the newspapers, which is given on the authority of the Press Association, with regard to alleged dissatisfaction among a company of the Grenadier Guards, who, on being ordered to parade with their kit this morning, refused to do so, and returned to barracks; whether some of the men have been punished; and whether, in consequence of the alleged insubordination, it is contemplated to order the regiment on foreign service?

*MR. E. STANHOPE: I have heard nothing about this. If anything of such a serious character had occurred, I have no doubt that I should have heard of it.

MR. CUNINGHAME GRAHAM: Will the right hon. Gentleman cause inquiries to be made? This is no light matter, especially when we bear in mind the troubles in connection with the postmen and the Metropolitan Police.

[No reply was given.]

MR. CUNINGHAME GRAHAM: I must press for an answer. [*Cries of* "Order!"] Here we have a postmen's strike and a police strike impending, and now there is dissatisfaction in the Army; and yet Ministers will not condescend to

say whether they will inquire. I demand an answer. [*Cries of* "Order!"] Her Majesty's Ministers have got into a way of refusing to answer serious questions.

*Mr. SPEAKER: Order, order!

Mr. CUNINGHAME GRAHAM: Then am I to understand that I am not at liberty to press for an answer?

*Mr. SPEAKER: The hon. Member is entitled to ask a question; but it is perfectly competent for the Minister to decline to reply.

Mr. CUNINGHAME GRAHAM: Then I beg to give notice that I will repeat the question to-morrow.

PUBLIC BUSINESS.

Mr. SEXTON: I beg to ask the right hon. Gentleman the First Lord of the Treasury whether he has any statement to make to the House with regard to the state of public business?

*Mr. W. H. SMITH: No, Sir; I have no statement to make.

Mr. E. HARRINGTON: Not till next Christmas Eve.

*Mr. W. H. SMITH: It will be in the recollection of hon. Members that I stated a few days ago that as soon as the Committee upstairs have reported I should be in a position to make a statement to the House.

Mr. T. M. HEALY: Before the Irish Estimates are brought on, will the Government be in a position to state, for the information of the House, what are the proposals they intend to submit as to the amount of money to be appropriated to the purposes of the intended Light Railways? The Government have now been pressed for something like four months for an explanation, and it is most desirable that information should be given.

Mr. JACKSON: The Government are not in a position to make any detailed statement now as to the manner in which it is proposed to utilise the money; but, without prejudicing the negotiations which have been going on, my right hon. Friend the Chief Secretary does intend to give the House information as to the schemes which it is proposed to carry out. Several of the schemes which have been scheduled are found to be technically not in order, and it will be necessary, I believe, to re-schedule them. I hope that that will be done in the course of a few days.

Mr. T. M. HEALY: Will the right hon. Gentleman make that statement before the Vote for the Salaries of the Lord Lieutenant and Chief Secretary is taken?

Mr. JACKSON: The statement the Government will have to make on that subject will come more appropriately on the Public Buildings Vote, which contains a sum of £50,000 for the Light Railways.

Mr. WADDY (Lincolnshire, Brigg): May I ask when the leader of the House will be able to state what arrangements are to be made with regard to the money the House generally is so anxious about, namely, the money provided by the Local Taxation Bill, which has already seen and suffered so much?

*Mr. W. H. SMITH: I am not at the present moment in a position to make any statement on the subject.

HELIGOLAND (ORDERS IN COUNCIL).

Address for—

"Return of the Orders in Council of the 7th day of January 1864, and the 29th day of February 1868, as to the Government of Heligoland."—(*Mr. Channing.*)

STATUTE 34, EDWARD 3, CAP. 1.

Address for—

"Copy of Statute 34, Edward 3, Cap. 1, as it appears upon the original Great Statute Roll."—(*Mr. Summers.*)

ARRESTS FOR DRUNKENNESS (IRELAND).

Return ordered—

"Giving the number of Arrests for Drunkenness within the Metropolitan Police District of Dublin, the Cities of Cork, Limerick, Waterford, and Belfast on Sundays, between the 1st day of May 1889, and the 30th day of April 1890, both days inclusive, the Arrests to be given from 8 a.m. on Sundays until 8 a.m. on Mondays:"

"And, similar Returns for the rest of Ireland, from the 1st day of May 1889, to the 30th day of April, 1890 (in continuation of Parliamentary Paper No. 356, of Session 1889)."—(*Sir James Corry.*)

NEW MEMBER SWORN.

James Archibald Duncan, esquire, for Barrow-in-Furness.

MESSAGE FROM THE LORDS.

That they have agreed to,—Deeds of Arrangement Bill, Registration of Voters (Borough of Belfast) Bill, with an Amendment to each Bill.

That they have passed a Bill, intituled "An Act to consolidate the Foreign Jurisdiction Acts." [Foreign Jurisdiction (Consolidation) Bill [Lords.]

ORDERS OF THE DAY.

SUPPLY—CIVIL SERVICE ESTIMATES, 1890-91.

Considered in Committee.

(In the Committee.)

CLASS III.

Motion made, and Question proposed,

"That a sum, not exceeding £889,490 be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1891, for the Expenses of the Royal Irish Constabulary."

(4.25.) MR. J. E. ELLIS (Nottingham, Rushcliffe): I think, Mr. Courtney, that there is nothing which can bring home more vividly to the mind of hon. Members, and to persons outside this House, the policy which is being pursued in Ireland by Her Majesty's Government than the character of the Constabulary Force which at present exists in that country, and which, in my opinion, is altogether misnamed. It consists of an armed and drilled body of men, numbering more than 12,000, costing about £500,000 per annum, and employed as instruments in the hands of Her Majesty's Government for carrying out a system of coercive legislation. This Vote raises not only economic but constitutional questions, and I would ask the attention of the House while I dwell briefly upon each of those points. I am sure that no hon. Member can realise, unless he has devoted a considerable amount of time and attention to the subject, the enormous amount of money which is wasted in this Vote. I am satisfied in my own mind that if the Royal Irish Constabulary were confined to the proper duties of a Police Force and paid reasonable sums for their services, there might be, at any moment, saved to the Exchequer a sum of £500,000 per annum. Last year I put down a Motion declaring that the number of the Royal Irish Constabulary was excessive, and might with advantage be reduced. I proposed to ask for the appointment of a Select Committee to inquire into the cost and administration of the Force. We have had a good many Select Committees during the present Parliament, and I think there is no subject upon which a Committee of 13 or 15 Members could more properly or more usefully be engaged upstairs than in investigating the matters I have mentioned. There are many precedents for such a course, and I can only express a hope that if not in this, at any rate in the next Parliament, a Committee will be appointed to inquire into this subject from top to bottom. The Royal Irish Constabulary consists of 12,810 persons, and the cost to the Imperial Exchequer for the year ending March 31st, 1891, is estimated at no less than £1,466,690. To use historical language, this Vote has increased, is increasing, and in my opinion ought to be diminished. Looking back to the year 1845 the cost was under 2s. per head of the population; in 1860 it was 2s. 5s.; in 1870, 3s. 4d.; in 1880, 4s. 4d.; in 1885, 5s. 8d.; and at the present time it stands above 6s. Nor are there any signs of a diminution. On the contrary, relatively to the population the cost is, as I have shown, rapidly rising. The matter is serious, if we look not only at the cost per head to the population of Ireland, but compare it with the cost of other Forces in this country, which are called by the same name. If hon. Members will look to Return No. 350 of Session 1889, they will find some interesting figures with respect to the cost of the Police Force in various districts. In Liverpool it was 3s. 4s. per head of the population; in Glasgow, 3s. 7d.; in Sheffield, 1s. 8d.; in Leicester, 1s. 7d.; and even in the Metropolis only 4s. 8d.; while in Ireland, as I have said, it is at this moment 6s. per head. I put it to any hon. Member whether this is not in itself a matter which demands our serious consideration. The reasons for this extraordinary disparity are on the surface. In the first place, the constitution of the Force is somewhat anomalous, and still more striking are the uses to which it is put. The Royal Irish Constabulary consists, like all other police forces, of officers and men. I think everyone who has been in Ireland—as a great many Gentlemen sitting above the Gangway and representing English constituencies have

latterly been—will agree that nothing is more striking in that country than to see, when there are a number of the constabulary present on any public occasion, the class of persons by whom they are commanded. I have myself observed on more than one occasion the sergeants and District Inspectors, instead of being middle-aged men promoted from the ranks, are beardless youths taken from a different social *status*. Such persons, when an emergency arises, are utterly lacking in that self-control and discretion which are necessary for men having to act under difficult circumstances. In answer to a question I put to him on the 25th July last year, the Attorney General for Ireland told me that in the case of third-class District Inspectors there are three methods of promotion. He said that the appointments are made by nomination, in the following classes:—(*a*) gentlemen—sons of constabulary officers under certain conditions; (*b*) gentlemen, not sons of constabulary officers; (*c*) by nomination at headquarters on literary and professional qualifications. Now, I am not quite sure whether it would be possible to find this word "gentleman" imported into the regulations in this country with regard to any such appointments. I would like to ask the Attorney General what is meant by the word "gentleman." I do not wish to cast any aspersion on the word rightly understood, but, if it means that the appointments are to be made from one particular *stratum* of society, that is not a very healthy state of things, when, as Lord Salisbury has said, there is a land war going on in Ireland. Her Majesty's Government has, I hold, taken a side in that land war which is being waged between the owners and occupiers of land, and, therefore, to draw the officers of the constabulary exclusively from that one side must be to produce a state of things such as we must all deplore. Then I infer from the answer the Attorney General for Ireland was good enough to give me this afternoon with respect to the changes which have taken place in these classes of District Inspectors, that they have been very great recently. I gather from his reply that, since the 1st July, 1887, something like one-third of these officers are new to their posts. I venture to think that if one-third have changed in three years, it points to a very serious state of things. I think this word "gentleman," and the drawing of these men in the way I have described from one social *stratum*, throws a great light on the figures I am about to read. I notice that some of the County Inspectors receive in the shape of pay and allowances and expenses—the items of which are given under various sub-heads—about £600 per annum, while some of the District Inspectors receive at least £500 per annum, and, looking at the duties these men have to perform, and the expense of living in Ireland as compared with England, I should say that in comparison with the pay of officers of a similar rank in the Metropolitan Police the salaries of the officers of the Royal Irish Constabulary are extraordinarily extravagant. So much for the officers. Now, a word as to the men—and here the comparison to be made with the Metropolitan Police is even more striking. According to the information contained in Return No. 154 of the present Session, the Chief Commissioner of Police in the Metropolis enjoys a salary of £2,100 a year, and the Inspector General in Dublin £1,900, and I venture to say that, looking at the difference of the cost of living in London and Dublin, £1,900, as against £2,100, is, again, altogether extravagant. The average salary of Inspectors in the Metropolitan Force, of whom there are 846, is £143, whereas Inspectors of the first, second, and third rank in Ireland, of whom there are 224, get £200 on an average. That, I submit, is perfectly monstrous. As to the rank and file, the salaries of sergeants in London and head constables in Ireland average £96 and £97 respectively, the numbers being 1,398 sergeants in the Metropolis, and 260 head constables in Ireland. The number of constables in London is 12,098, and their pay averages £70 8s., while the 12,250 sergeants and constables in Ireland receive on an average £64 6s. per annum. I submit that, looking at the cost of living in the two countries, a policeman will be rich in Ireland on £64 6s. per annum, and poor in London on £70 8s. These 12,250 Irish constables are drawn from comparatively humble homes, where they are not accustomed to the same style of living as

obtains even amongst the class from whom the Metropolitan Police are drawn. These figures must bring home to every Member of the House that we are monstrously extravagant in the matter of these Irish constables. I am not going to dwell on the amounts for allowances, which are very large, and for "travelling expenses," "clothing," and "arms and ammunition," because I have no doubt some other hon. Members will take up those points. I may say, however, that if we look into those points, they will only add force to what I have said. Before leaving this element of cost there is a matter I should like to mention, as I drew attention to it this afternoon. There are a certain number of men, members of the Royal Irish Constabulary, who are permanently employed out of Ireland. The Auditor General has called attention to this matter in the Appropriation Account. On the 13th April, 1889, he wrote a letter to the Inspector-General of the Royal Irish Constabulary, in Dublin, requesting that he should be furnished with some information as to the circumstances under which members of the Force are employed outside Ireland, while their cost was charged on the Irish Vote. No answer was sent to the letter until 28th December, 1889, when the Inspector-General gave as his authority the Act 6 and 7 William IV. Chap. 13. He demands *carte blanche* in the matter, and claims that he may place as many men as he pleases outside Ireland, and for as long as he pleases. The Auditor-General, in reply, on 2nd January, said he is not assured that a *quasi* permanent employment inside the country falls within the meaning of the Act. This employment of men outside Ireland is distinctly illegal. The Inspector-General claims practically to over-ride the Act of Parliament without question from anyone. I have now dealt with the cost. I remember the late Mr. Bright used to say, in his more robust days, that the Services are a sort of out-door relief for the aristocracy. That was his assertion, but I should say, so far as Ireland is concerned, that the Police Service is a system of out-door relief for the younger sons of landlords. The pay of this Force is extravagantly high, and fixed at a standard which is intended to act as a bribe to the men to do the work that is expected of them. But, after all, the £. s. d. aspect of the matter is not the most important and cogent aspect at the present moment. The main reason for this monstrous and unnecessary burden on the taxpayers is the policy which guides the operations of the Force. The Inspector-General quotes in his letter the Act 6 and 7 William IV. That Act was the work of Thomas Drummond, passed during his tenure of office in 1836, and I venture to tell the Irish Attorney General and the Chief Secretary, or anybody who defends the Irish Administration of the present day, that all through the Debates in this House in 1836, and afterwards, there is no warrant to be found for the purposes to which the Irish Constabulary are put. Over and over again, during the discussions, not only Lord Morpeth and Lord John Russell, but Sir Robert Peel, who was then in power, laid it down that the Constabulary should preserve "an even keel." Speaking as he was then in Opposition, Sir Robert Peel said—

> "He believed it to be of the highest importance that the Police Force in Ireland should be kept perfectly free from the influence of Party animosity or Party excitement."

In the House of Lords it was also held that the police should preserve an even keel, and the view thus taken was illustrated by the Government action in the matter of the Tithe War. Over and over again Drummond refused the aid of the Constabulary in collecting the tithe. He said—"We will lend the police whenever necessary for the preservation of the peace, but never for the collecting of tithe." What a contrast between that policy and that of the present Government. The Prime Minister tells us that there is a land war in Ireland, and yet the Government have placed the Constabulary at the service of one party to that land war, to assist landlords, such as the arch-rack-renter Lord Clanricarde, to collect unjust rents. They have granted their police to evict thousands of these tenants from their holdings. In this connection I must allude to a picture which hangs on the walls of the Royal Academy at this moment, and in which the Royal Constabulary are depicted going away from what ought to be to everyone the sad duty of making houseless and homeless some of these poor tenants. The Prime Minister of this country, speaking

at the opening banquet of the Academy, on the 3rd of May, said—

"There is such an air of breezy cheerfulness and beauty about the landscape which is painted that it makes me long to take part in an eviction, whether in an active or a passive sense."

I venture to think no Prime Minister of this country ever spoke on such an occasion before in such a spirit. If the Marquess of Salisbury has not since been ashamed of himself for uttering those words I can only say he ought to have been. I pass to some illustrations of the manner in which this Force has been used. We have seen it used for the arrest of persons and the entry of houses without warrant. I have brought a number of these cases under the notice of the Chief Secretary. On the 9th of May a man was arrested at Portumna by two constables, who afterwards proved to be drunk. No charge was made against him, and he was discharged. On the 12th of June two constables arrested a man at Cork. They were proceeded against, and convicted before a County Court Judge of having made an entry without authority or warrant. Constables are constantly in the habit of tearing down placards and interfering with perfectly legal meetings. Then the Irish Constabulary have been undoubtedly guilty of manufacturing the crime, as it is called, of boycotting, and of conniving at the even graver crime of moonlighting. You have only to read a Circular which appears in *Hansard* Vol. IV., of this Session, col. 1588, in order to see an emphatic proof of this conspiracy on the part of the police to manufacture the so-called crime of boycotting. That Circular gives an official sanction to the practice of entrapping the people into action which it is afterwards intended to prosecute them for. I need only to refer to that most unfortunate case in which Head Constable Whelehan lost his life in connection with my charge against the police of conniving at moonlighting. I quite admit that of late there has been some change in the use of the Force. They have resorted to a system of petty annoyance and interference with personal liberty culminating in the watching and shadowing of which we have heard so much. On the 11th of February, the Mayor of Cork went to Cork Station to meet a prisoner who was coming out on bail, and he was on that occasion ill-treated, more or less, in his own city, by a number of constables. On the 21st of February, Father Kennedy was administering religious consolation to a sick woman, and it is admitted that constables went to the place and interfered with him in the discharge of his clerical functions. On the 17th of February, Mr. John Fitzgibbon, of Castlerea, a most respectable man, who is known to myself, was followed and interrupted in his business for no conceivable reason whatever. On the 4th of March, Sergeant Hegarty knocked at the door of a room where the Town Commissioners of Cashel were sitting, and demanded what they were doing, on the pretence that they were holding a meeting of the National League. I put it to the House whether it is not intolerable that a meeting of the Town Council should be interfered with by a constable knocking at the door, and asking whether they are holding a National League meeting. On the 15th of April the Rev. Mr. Brown, Catholic curate, was told that he would be followed if he did certain things, and this after a police prosecution against him had completely broken down. It is because the authorities know that if matters of this sort get into Court the prosecution will break down, that they rely on the more odious system of petty personal persecution. I now come to the system that has been stigmatised so forcibly by an hon. Gentleman opposite (Commander Bethell). On the 19th of May the Rev. Father Humphreys and others were ordered to move on by some of these men. This mode of procedure is becoming notorious, and has been happily made well-known in this country by the photographs which have been successfully taken by the hon. Member for Monaghan (Mr. P. O'Brien.) According to questions put on the 16th June and the 23rd May, Messrs. Cullenane, Frewin, and Gill were followed in the streets of Tipperary by the police, and even into the shop of Mr. Carew of that place, and they were there asked questions of a very impertinent character. The hon. Member for Tipperary has asked in this House with respect to an insult offered to his wife and another lady in the streets of Cashel. These are only a few of the illustrations of this practice of petty

annoyance and interference with personal liberty in Ireland. No doubt we shall hear more details of the practice from hon. Members for Irish constituencies. I believe that even the Chief Secretary is beginning to see that this system of personal annoyance is one that had better be abandoned. Now I come to my last count against the Irish Constabulary, namely, that of physical wounding and shooting. On the 17th February Miles O'Brien was struck on the neck, felled to the ground, and kicked while down by a member of the Royal Irish Constabulary, and when he asked a Magistrate for his remedy against this maltreatment he was referred to Colonel Caddell. The Chief Secretary and the Attorney General for Ireland tell us, time after time, that persons injured by the police have their remedy at law, but we who have been in Ireland know what a mockery that statement is. The word law and the word magistrate do not mean the same thing in Ireland that they mean in this country. It is perfectly idle to tell an injured person that he has his remedy at law. In this case the only consolation he got was in being referred to Colonel Caddell, who was the very man who committed all these iniquities in the district. He was the man, too, who a year ago was charged with speaking in a most insulting, offensive, and immoral way to a girl who was in his custody. That charge against him has never been disproved, because it cannot be. Now, we have had full details of what took place at Cashel at the end of May. I will not enter into them here now, but I may say that I was astonished, after all the experience we have had of the Government, that it should refuse any sort of departmental inquiry—or impartial investigation into the circumstances of this case. It has always been held in this House that when hon. Members state facts on their personal authority—facts affecting the character of any public Department—the Government should have some sort of inquiry into the statement. Yet the inquiry was refused in this case. I will give one illustration of the necessity for inquiry. District Inspector Concannon was in charge of a number of men on the 13th June, 1889, when they were conveying my hon. Friend the member for North East Cork along the railway, and at Charleville, certain incidents occurred and shots were fired. It was stated at that time that the police fired without orders; a *quasi* denial was given to that from the Government Bench opposite, but in a recent trial the District Inspector has given evidence, and in the course of so doing, in reply to the question, "Did you give any directions to the sergeant to fire?" he replied "No, they fired without orders." That was not admitted at this time last year. These cases might be abundantly multiplied; they might be infinitely strengthened, as I hope they will be, by those who were eye witnesses of these occurrences. I have not dwelt on the want of *morale* and discipline which is showing itself in the Force. You have convictions for drunkenness which do not seem to be treated in a grave manner by those responsible for the administration of the Force. You have receipts forged; you have, in at least one instance, the name of a Member of this House forged by a police constable. All these things point to a state of demoralisation, and a state of indiscipline, it is lamentable to see in a Force which has its traditions, and which, under proper arrangements, might be made a Force of which any country would be proud. I think the Government is responsible for this state of things. I no longer hold the Chief Secretary personally responsible. The Government is responsible; the Members on the Benches behind it are responsible, and those Members who do us the honour to disperse themselves among us here, but whom the electors will soon do themselves the honour of dispersing, are equally responsible. At the same time, I cannot overlook the most regrettable want of accuracy which is noticeable on the part of the Chief Secretary when he gets up to reply to questions. On the 12th June he was obliged to say, "I was, therefore, in error in the statement I made about these two men." I have here one more illustration of the almost habitual inaccuracy of the right hon. Gentleman. The occasion was in connection with the funeral of the late Mr. Matthew Harris. On the 17th April the hon. Member for West Belfast asked a question in relation to

what occurred at that funeral, and on the 18th he renewed his question, but received no answer. He then spoke on the Adjournment of the House, and the Chief Secretary, in the middle of the remarks I was making upon that Motion—when I happened to use the expression "armed men" in reference to the constables who attended the funeral—shouted across the Table, "They were not armed." He repeated the same assertion on the 9th May, when it was perfectly in his power to have obtained correct information. On the 9th May he actually stated that the police on that occasion had their batôns only, and not their side-arms. But the hon. Member for Roscommon, who was present on the occasion, saw the side-arms, and I will ask: Does the Chief Secretary mean to say that the word of an hon. Member, who was present and saw the side-arms, is not to be taken in preference to a statement made through the post or by telegraph, either by the constables concerned, or by their superiors—statements which, as we know in matters of this kind, are absolutely unreliable? I do not know anything which can bring home more positively these facts to the mind of the public than this shocking imprudence of armed constables pushing in among the relatives to the side of the grave. I have now gone rapidly through my case as to the cost of this Force and the uses to which it is put. We find that Parliament is asked to vote an enormous and wholly unnecessary sum for this Police Force—a Force put to uses which, I venture to say with some confidence, were never contemplated by the authors of the Act of 1836. The Government have departed from the key-note of those authors—an even keel, showing no favour to one side or to the other. They have placed this Force in a position in regard to the inhabitants of Ireland which is most lamentable. The Royal Irish Constabulary stinks in the nostrils of the people. It was said by William Penn that a man should make it part of his religion to see that his country is well governed, and agreeing as I do with that opinion, I unhesitatingly and with all my heart oppose this Vote.

(5.12.) MR. PICTON (Leicester): I rejoice at this opportunity of breaking a silence most painful to many Members of this House, and painful to hundreds and thousands—aye, even millions of voters in the country, some of whom, however, have had an opportunity of breaking that silence at Barrow. We have heard their voice there, and we know what it meant. If there is any subject that stirs my constituents to the very depths of their nature it is this wretched, miserable, humiliating tyranny that is exercised in Ireland, through what is called the Royal Irish Constabulary. Look at this Force; there never was such a Constabulary Force in the world anywhere before. In numbers, in arms, in discipline, in the favours of emoluments with which it is bribed, there never was such a Force anywhere. We have an armed Constabulary, indeed, in some remote regions of our Imperial Dependencies, but they are feeble in numbers, compared with the extent of the territory in which they work, and compared with the barbarians with whom they have to deal. Here, in a comparatively small island, with a population of under 5,000,000, you have, as we have just now heard, upwards of 12,000 men, armed with weapons of precision, and drilled like soldiers. What is this extraordinary Force wanted for? Is it wanted to put down crime? If you mean by crime advocating Radical or Republican opinions, or Home Rule, no doubt it may be wanted; but that is not what we usually mean by crime. So far as crime is understood in this country, we have the very highest evidence that there is far less crime in Ireland than in any part of Great Britain. I will refer the House to the weighty words once uttered by Judge Waters, in opening the Quarter Sessions at Waterford. The learned Judge, after congratulating the Grand Jury on the insignificant amount of crime that had occurred in the district—I believe the date of this speech was the 15th of August, 1887—went on to say that even that record was heavier than in the counties of Cavan and Leitrim, and if they added the Assize cases as well for the three counties, he could show, by quoting official statistics, that the proportion of crime was less by one-third than in England (being 114 cases as against 174), and less by one-half than in Scotland, where the proportion was 114 to 225. Then the learned Judge went on to

observe that these three counties fairly represented the condition of Ireland as regarded crime. It is notorious that this statement of the learned Judge has never been, and cannot be, contradicted. Therefore, it is not to put down burglary, or pocket picking, or petty larceny, or ordinary assaults that this terrific Constabulary Force is maintained in Ireland. Then what, in the name of justice, is it wanted for? It is wanted to force upon the majority in Ireland the rule of the minority. That is the long and short of it. Because public opinion runs strongly and persistently in the direction which is condemned by the small minority in Ireland, and because that small minority is held up by the ruling powers in this country, therefore we are obliged to have this large display of armed force in Ireland. That is the sole reason. I maintain that that is a condition of things wholly contrary to all traditions of Constitutional Government—that the majority shall permanently submit to the rule of the minority. In a speech delivered at Bradford, in 1888, the right hon. Gentleman the Member for West Birmingham undertook to defend what we call coercion, and it is for this coercion that the Royal Irish Constabulary is maintained. In the course of his defence he said all law was coercive, and the only thing which distinguished the civilised state from barbarism was the fact that, in a civilised State, the law of the land was observed, and those who disobeyed it were punished. I always thought there was another characteristic distinction of civilised States, namely, that the vast majority of the population consented to the law, and that it was by the consent of the majority that the law was maintained. I could point, of course only by way of illustration, to other instances in which the law has to be maintained by violence, as, for instance, St. Petersburg, and, surely, that city is not commonly taken as evidence of a state of a high civilisation. It is regarded as evidence that the population are but half emerging from barbarism, and that the higher element in the population is subordinated to the lower. So it is in Ireland. If we want the law obeyed there, let us secure for it the consent of the population. Let us govern the country in accordance with the opinion of the majority of the population. There is no reason why this should not be the case in Ireland. There is no reason why the armed Constabulary should not be abolished at once, if only we could rule in Ireland as we do in this country, and allow the opinions of the majority to prevail. The real effect of the present state of things is sometimes almost more ludicrous than is reported. I have had an opportunity several times recently of visiting Ireland, and of conversing with various representatives of political Parties there, and I have had the satisfaction of being followed by members of the Royal Irish Constabulary. I do not know whether I should be a very dangerous person. I do not know whether I should be a very formidable rebel. I do not know whether I am capable of murdering many people, by committing acts of violence. I have never tried, and, therefore, I cannot answer the question. But why, when inhabitants of this country who have never been suspected of crime and have never come into contact with the law, visit Ireland, should they be followed by police officers? They are not so treated in England, but immediately they enter Ireland, without any change in their character, without any lowering of their principles, they find themselves the objects of the suspicion of the authorities, and they are made the subjects of watching and shadowing on the part of the police. There surely is something wrong in this state of things. Why should well-behaved citizens in this country be made the objects of police suspicion when in Ireland? There is only one way of accounting for all this, and that is, that we are trying to balance the pyramid on its apex in Ireland. We are protecting a perverse, arrogant, bigoted, narrow-minded, selfish minority against the patriotic majority of the population. When one comes into contact with that population—when one studies the difference between those who are in favour of Home Rule and those to be found on the side of the police—it is possible to come to but one conclusion, and that is a very sad one, for it is that the whole object of the system supported by the Royal Irish Constabulary is to suppress the very best elements in Irish character and to encourage and foster the very worst. On the one side you have

mutual loyalty, you have patriotism, and you have self-sacrifice most abundantly proved. On the other side—that of the associates of the police and in the ranks of the Royal Irish Constabulary themselves—you have weakness engendered by long continued poverty, you have a disposition to accept bribes, you have greed, you have the aspect of Anti-Nationalism, and you have a few selfish people set against the better aspirations of the majority. You have, further, a system of suspicion and of a sneaking, wretched, watching and shadowing, which it is odious to behold; you have moral corruption, and you have continual outbreaks of utterly indefensible violence. The Royal Irish Constabulary are a danger to order in Ireland. We are not disposed to forget their conduct at Mitchelstown, although right hon. and hon. Gentlemen opposite think by sneering and satire to suppress the memory of it. Then you have a system of falsehood pervading the ranks of officialism in Ireland, and right hon. Gentlemen opposite make themselves the involuntary channels for the conveyance of those falsehoods to this House. For instance, the Chief Secretary, in reference to recent proceedings at Tipperary, said that there was no open-air meeting there, or if there were it was a very subordinate part of the day's proceedings. Well, I was present, and the open-air meeting was the most important item on the day's programme. When the Carnarvon election took place some of us were on our way to Ireland, and before we boarded the steamer we anxiously inquired as to the result of the contest, because we knew that if the Liberal were returned the Tipperary meeting would be allowed, while if the Tory were elected it would be proclaimed. Well, the announcement of the Liberal victory made us assured that the police would not intrefere with the meeting. Though you laugh at this reasoning it is justified by what has been the practice; it is founded on experience. Whatever else the Irish race may be, they are not fools, and they can argue from experience. On previous occasions the action of the Royal Irish Constabulary towards innocent meetings had notoriously been determined by the course of political events in this country. Well, the prophecy was fulfilled. As a matter of fact, the meeting was not interfered with. The police stood aside gloomily and unsympathetically, but they stood aside and did not interfere. Then, says the right hon. Gentleman, "Yes; it is true English Members were allowed to speak, for his experience was that while the effect of the speeches of Irish Members might be felt, the effect of the speeches of English Members was absolutely *nil*." Well, of course, we quite know that we cannot rival, and we do not pretend to rival, the oratory and influence of Irish Members in Ireland, but the point is this; not that the right hon. Gentleman allowed English Members to speak, but that he allowed Irish Members to speak, and some of them, the most prominent, the most dangerous, as they are called, of these so-called criminal conspirators, who, as hon. Members on the other side are fond of reminding us, have been condemned by the renowned Special Commission. Some of the most prominent, or most dangerous of these criminal conspirators held forth from the platform at New Tipperary. It is not the point that the right hon. Gentleman allowed English Members to address an Irish crowd; the point is that when the Carnarvon election was carried by an Home Ruler, Irish Members, the most prominent representatives of the Home Rule movement, were allowed to address their constituents at New Tipperary. We had a very humiliating exhibition of the dependence of the Government on the current of political opinion in this country. Humiliated they were, and driven from bad to worse, from cruelty and repression to the most shameful exhibition of disgraceful acts of moral torture such as the system of "shadowing" of which we have heard so much. Think what it must be to have a man following by your side, and another at your heels, throughout the live-long day. You may be a solicitor going about your business, you may be a parish priest visiting your parishioners, but whatever your business, whatever your duties, whatever your intercourse with your fellows, whatever the distraction of your own thoughts, you have the tormenting presence of a detective by your side, and another at your heels, never giving you a moment's peace. I say that that is moral torture, and it is intended as torture for those who

dare to think and act for themselves in considering their country's welfare. The other day when a question was asked about an Irishman who had turned the tables upon a detective, who had shadowed him, and the shadower became the shadowed, the man was arrested on the charge of having interfered with a constable in the discharge of his ordinary duty. Well, but what about the two constables who interfered with the parish priest in the discharge of his ordinary duty? What more right have they to interfere with a man's duty than any citizen of Tipperary has to interfere with a constable in the discharge of a duty, not, so far as I am aware, prescribed to him by the law? It appears to me it is outside the law altogether. But the law means one thing in this country and another thing in Ireland. We find a Minister, by refinement of speech, by quibbles of analogy, trying to show that, in the abstract, the law is ultimately the same in Ireland as in England, but it is not administered in the same manner. It interferes with rights in Ireland which are allowed full scope in this country, it represses the ordinary modes of political action in Ireland which are freely allowed in this country, it makes even English citizens to be suspected criminals in Ireland when never a shadow of suspicion attaches to them in their own country. The fact is the whole system represented by the Irish Constabulary is a sheer piece of barbarism, of which Englishmen, Scotchmen, and Welshmen are ashamed. We are powerless now to break it down, but, thank God, better days are coming. Barrow has uttered a word of prophecy, and in due time the whole country will rise and sweep away this miserable exhibition of how an English Government can become degraded, and will give freedom and justice to Ireland at last.

*(6.38.) MR. FLYNN (Cork, N.): I had expected from the Treasury Bench some reply to these damaging speeches; but I suppose we must wait, and that a late opportunity will be chosen for trotting out statements which will be delivered too late for full contradiction on this side. With this Vote we are face to face with some extraordinary facts and figures. Strange to say, in a country where unhappily the population is steadily declining, we find the cost of police mounting decade by decade until the estimate, which in 1871 was £1,000,000, has now reached £1,589,000. The mere recital of that fact ought to be sufficient to arouse the vigilant attention of the Committee, and to focus the attention of the country on a system which requires such expenditure to maintain it, and stands condemned in the minds of all men. The exact figures are, in 1871, for the maintenance of the Royal Irish Constabulary, including the police of Dublin, £1,016,000; this year £1,589,000, or an increase of over 56 per cent., an increase of £573,000. These are alarming figures, and ought to startle every economist in the House. The cost of the Irish Constabulary has risen from 3s. 9d. per head of the population 20 years ago to 6s. 9d. to-day. It is a severe commentary on the entire system which requires such a Force to be maintained. The hon. Gentleman who opened this discussion has given the cost of police in certain British towns, and I need not dwell upon the comparison beyond noting that, while the cost in Ireland is 6s. 9d. per head of population, in Dundee it is 1s. 11d., in Leeds 2s. 3d., in Bradford 2s. 1d., and 1s. 5d. only in the important town of Sunderland. Significant enough are such figures as these; but the facts of recent mal-administration of the police are of such a grave character that they cannot be met by legal quibbles, and no amount of polished sneering can explain to the Committee the facts in the indictment against police administration in Ireland during the past 12 months. Notwithstanding what has often been said from both sides of the House, we have always held that the Royal Irish Constabulary have never been at any time in history a popular force; but whatever may have been the feeling towards the Force in past years, there cannot be a doubt that within the last three or four years it has reached a pitch of intense exasperation, little short of hatred absolutely. There was a time when the Irish Constabulary moved about among the people in some sort of amity with them and with some sort of self-respect; but now in towns and rural districts it is held to be a stigma and mark of disgrace to hold intercourse with a member of the Force. It is a grave condition of things that a body of men,

administered at such enormous expense, should be regarded in this manner by the people whose lives and liberties they are nominally supposed to protect. I do not propose to bring forward many instances at this stage of the discussion; they will multiply as the Debate goes on. We charge it against the administration that the Force is going from bad to worse; that acts of folly and violence are being daily committed; and there appears to have entered into the administration of the police, whether it comes from the Treasury Bench or from Dublin Castle I will not undertake to determine, but a spirit has entered into the administration of this undoubtedly fine body of men which has pitted them against the aspirations, the political and the social rights of the vast body of the people of Ireland. Instead of being maintained in the interest of peace and order, for the prevention and detection of crime, the police are part and parcel of the landlord machinery, directed and governed as such. That has been illustrated at Tipperary. But Tipperary Members will refer more particularly to this. I will only say this: that we have often heard the right hon. Gentleman say, in reference to organised combinations against evictions, that it was this resistance to the police that created bad blood between them and the people; that the Plan of Campaign was responsible for violence, which was distasteful to the police. But here in Tipperary, rightly or wrongly, wisely or foolishly, we find the people guilty of no violence; they gave up their homes voluntarily to the officers of the law, no resistance being attempted, and removed to another part of the town. Yet, though the people were not acting in defiance of the law, or in any way attempting a breach of the peace, the police entered upon a long course of brutality and studied insolence. The right hon. Gentleman has never attempted to explain how it was that no inquiry was held into the affray at Mitchelstown, nor has an inquiry been granted in more recent cases of police violence. Honestly, no doubt relying on statements furnished him, the right hon. Gentleman contradicts our facts; and support these by what testimony we will, we never get inquiry. Though there may be loss of life from the reckless use of murderous weapons, yet inquiry is refused, even though Coroners' Juries empannelled by the police themselves return verdicts of wilful murder. What has the right hon. Gentleman to say of the Charleville business? It is admitted that the police fired at the railway station into the crowd with intent to kill. We asked for inquiry into the circumstances. When we attempted civil proceedings we were met by every obstacle that legal ingenuity could suggest to the minds of Dublin Castle lawyers. Only after great difficulty and considerable expense, met by contribution, from the countrymen of the wounded man, were we able to bring the case to trial. My hon. Friend the Member for North-East Cork will, I understand, refer particularly to the remarkable declarations of the two Judges who presided at the two trials, and who, in the most unhesitating manner, condemned the culpable conduct of the District Inspector and the men under his charge. There are times when a civil force may be called upon to use rough methods towards a crowd; but I have seen the Irish Constabulary over and over again, when people were actually dispersing and had been but listeners to a speech, pursue the people—men, women, or boys—into doorways, and far from the scene of the meeting, and batoning the unoffending flying people about the head. I have seen these things, and I have wondered that from the younger men there have not been reprisals. We have brought such cases forward, but we get no satisfaction—we are simply met with blank and stupid denial. It is but a short time ago that my hon. Friend the Member for North-East Cork, passing through Cork, spoke a few words from his hotel—a short speech such as he might have uttered anywhere in England, and it would have been received with applause by an English audience. But without notice, without giving the people time to disperse, a body of police rushed upon the people, inflicting such serious wounds with their heavy batons that many persons had to be taken to the infirmary. Imagine the bitterness of feeling scenes of this kind give rise to. Were it not for the restraining influence upon the younger Irish people, which comes from the knowledge that this state of things cannot last for long, there would be

reprisals upon the police for these brutalities. The right hon. Gentleman and the Attorney General for Ireland have recently exercised their ingenuity in connection with a system which an hon. Member on the other side of the House has characterised as damnable. "Shadowing," we have been told by the Chief Secretary, is only put in force against those suspected of complicity in criminal conspiracy. I do not know how the right hon. Gentleman can "square" this statement with the every day facts before us in Ireland. Does it tend to the preservation of the peace that a Catholic priest should be followed about all day while engaged in the ordinary duties of his sacred office, visiting the sick and dying, fulfilling what we regard in our Church as the most solemn function—preparing the soul for departure to another world? "Shadowing" has been carried to such an extent that police have watched the house and peered through the windows of the sick chamber where a dying woman lay. Father Kennedy, I fully admit, was convicted of taking part in the holding of National League meetings in a suppressed district; but those meetings have been discontinued for some time past, and surely it were better to allow 20 League meetings to go unsuppressed than to exasperate the people with the spectacle of their priest being followed day and night in his sacred duties. The right hon. Gentleman cannot deny the facts, of which there is photographic evidence, showing how Father Humphries has been subjected to this treatment. Recently I called attention to the arrest of Mr. O'Brien, of Killeagh. Mr. O'Brien was arrested on the spot on a charge of interfering with a constable. He had been followed by the constable in plain clothes all day, and attending a fair and approaching a spot where cattle were being sold, was asked did he want to buy. He replied "No, but this policeman does." It was proved at the hearing of the case that this was the extent of his interference with the constable. He had previously chatted amicably with him and exchanged the civility of pipe-lighting; but because he thus exposed the policeman's little game, Mr. O'Brien was given in charge to a constable in uniform, locked up, and a Resident Magistrate was telegraphed for from Cork, and was, in an hour and a-half, duly delivered like a bale of goods as per invoice at Youghal. If Mr. O'Brien's conduct was calculated to lead to a breach of the peace which is likely to be the consequence of two constables continually following a man about his ordinary business, is it not more than human nature can bear? I hope the right hon. Gentleman will not attempt in the Debate on this subject to shelter himself behind the denials that have been given by the police. We can give the right hon. Gentleman chapter and verse for our allegations, and ask for and require explicit statements. We ask for an explanation with regard to Father Humphreys, Father Kennedy, and Canon Keller, and also in reference to the cases of numerous other clergymen throughout the country. And now, Sir, I wish to bring under the attention of the Committee the great hardship arising from the system of shadowing. The administrators of the Police Force of Ireland seem to have got it into their heads that it is a part of their business to be in every market and fair in Ireland, in order that the stock of those who have been locally boycotted must be purchased willy-nilly. In order to carry out their duty they not only hamper and interfere with the business of the fair, but they also inflict great loss and hardship on those who are engaged in fair or market matters. Let me take the case of a cattle dealer going to a fair. If he is known to be a Nationalist, he is followed from his own place to the fair he attends, and, when there, is shadowed everywhere and to such an extent that it is almost impossible he can do any business. Take the case of Mr. Slattery, who was so shadowed by the police that he was utterly unable to transact his business for many months. When he was endeavouring, in the ordinary way of his business, to buy cattle, one policeman stood on one side of him and another on the other and listened to every word that passed, so that in every attempt to make a bargain the unfortunate man was utterly frustrated. As it was in the case of Mr. Slattery, so it has been the case with hundreds of others; and we want something more than the denial of the right hon. Gentleman in regard to these cases.

I do not intend to go into detail with regard to these cases; but I charge that the general administration of the Force has tended to make the police commit acts of illegality and violence utterly unchecked by the authorities. Latterly it seems to have become a legal axiom in the constabulary that any body of men acting together in Ireland must *per force* give the head constable or the District Inspector an explanation of the business they desire to carry out. Only a short time ago a number of the Fermoy Town Commissioners came together in the discharge of their duties, and the head constable asked them to explain whether they were going to hold a meeting of the National League, because some of them were members of the League. If that doctrine is carried to its legitimate conclusion, wherever there has been a branch of the League, it will be utterly impossible for the people to meet at all, because all the adults have belonged to the National League, and cannot meet for any purpose without being liable to interruption from the police. I will give an illustration of what occurred quite recently. A Town Commissioners' meeting was to have been held at Cashel two weeks ago, and that meeting was interrupted by the police on the pretence that it might be a meeting of the League. Several members of the Board protested against the interruption caused by the police, the Chairman saying, "I ask Mr. O'Brien to order the retirement of the police." Another member of the Board said, "This is a meeting of the Corporation." Police Sergeant Cagley said, "It is not my fault I am here. I am informed it is a meeting of the National League, which is suppressed." The Chairman said, "You must leave this, sergeant;" and the sergeant said, "No; I see several members of the National League here." Suppose this principle were applied to hon. Members on these Benches, we should, in that case, have no right to attend here and assist in conducting the business of the nation, because many of us have been members of the National League. It was only after the strong protest of the Chairman and the threat of legal proceedings that the police withdrew. This is only a sample of what is going on all over the country. In the case of Father Kennedy, the police insisted on forcing their way into his private house, because he would not give them a guarantee that an illegal meeting was not about to be held. This is a state of things which has been denounced by Chief Baron Palles, and which excited the indignation of Mr. Justice Gibson. We are told we have a right of civil action; but when we assert that right, we are met by a full Bar, and every possible legal obstacle is thrown in our way. There are, however, hundreds of cases in which it is impossible to take proceedings, because there are no means of identifying the constables, whose names are refused by the Inspectors. I remember the case in which the Mayor of Cork and myself each collared a policeman, and said we would have his number. We added, moreover, that if there was a single act of brutality committed by the police we should hold him responsible. The result was that a police charge, which was about being made against hundreds of people, was prevented. There was also the case of my Friend the Member for Monaghan, some months ago, at the Bandon Station. He was waiting peaceably to welcome an hon. Friend, when he was set upon, knocked down, and brutally kicked while on the ground. Priest after priest went to the Inspector to try and stop what was going on, and when they looked for the numbers of the constables they were unable to get them. We also find that when the City Police are sent on outside duty, such as eviction duty or dispersing the people, their numbers are always carefully removed. I know that this is done in the City of Cork. What can be the meaning of this, except that they are to perpetrate any amount of illegal violence without affording the people the opportunity of redress. When we are told that we may take legal proceedings, I would remind the House of what happened a few months ago on the occasion when the hon. Member for North East Cork had been tried at Clonakilty, and was being removed to gaol, On that occasion a large number of priests, professional men, and the most respectable of the inhabitants, were on the railway platform to see Mr. W. O'Brien taken away, intending nothing more than a demonstration of respect. In reference to what then occurred Dr.

Magner gave evidence at an inquest which subsequently took place as to what occurred. He stated that there was no disturbance, no crowd, and no excitement, but he was suddenly seized by a policeman, dragged across the platform, and assaulted in a violent manner. He immediately demanded the policeman's name from District Inspectors Crane and Purcell, two officers then present. The Inspector referred him from Mr. Crane to County Inspector Heard, who would not give him the policeman's name. And thus the man was sent from one office to another without obtaining the evidence which he sought. One hundred cases of that kind could be brought forward. I have given the right hon. Gentleman a specific statement. If he does not deny it, I hope he will never again get up in this House, or never again during the short time that remains to the Administration, and refer us to legal proceedings when we complain of the wrongs committed upon the Irish people. I hope the Committee will take these facts and figures into consideration. I hope that they will, at any rate, make an impression upon many Members and upon the country at large. We know that the right hon. Gentleman pays no slavish or superstitious adherence to accuracy in this House; but, however that may be, I hope that these figures, showing how the expenditure on the Irish Constabulary is mounting year after year, will be heard from every platform in the country, as evidence that this Administration is doing nothing for the pacification, let alone the prosperity, of Ireland.

(6.20.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): Mr. Courtney, we have now listened to three speeches on the subject of this Vote, which we were specially asked by the right hon. Gentleman opposite to bring on at an early date, in order that what they allege to be new grievances in connection with the management of the Royal Irish Constabulary might be brought before the notice of the House. In those three speeches we have had a good many old topics dealt with, to which I and my predecessors in Office have often replied. The hon. Member for Leicester has given us a very interesting, though, perhaps, not very relevant, account of his journey in connection with a meeting held in April at the new town of Tipperary. I do not think it necessary, at this stage, at all events, of the Debate, to reiterate the arguments used by my predecessors and myself on this point, and I will confine myself now to the topic which has been alluded to in violent language by the hon. Member who has just spoken—namely, the practice known in this Debate as "shadowing," which the hon. Member has described as a damnable practice.

*MR. FLYNN: It was one of your own followers who so described it. [*Cries of* "Bethell."]

MR. A. J. BALFOUR: The hon. Member quoted the description of the practice, and I will say that it has been spoken of by two Members of this House as being damnable. It is a curious thing that this topic should not have risen into prominence until the year 1890, because it certainly existed in times past to as great an extent, and, I believe, to a greater extent, than it does now. The invention of this as a new subject of agitation is due to the right hon. Gentleman the Member for Mid Lothian, who, following me in Debate the other day, made a very violent, very eloquent, and very spirited attack upon the action of the police in this matter, and among a great many very violent expressions he stated that, in his opinion,

> "There are no words strong enough to describe the abominations of which the police have been guilty—the police, and, of course, more directly the Government, who are responsible for the action of the police."

I think the right hon. Gentleman would be well advised if, before he makes these violent attacks upon the present Administration, he were to consult those right hon. Gentlemen who sit near him as to what occurred in the previous Administration, with which he was more nearly connected; he would have been saved on this occasion, as he would have been on many previous occasions, from somewhat serious rhetorical misadventures. ["Hear, hear!"] I heard the right hon. Gentleman cheer that last statement I made. He appears to think that we have introduced some very startling novelties into this practice of shadowing. I recollect a previous oc-

casion, when a noble friend of mine who, I think, is not in the House now, raised the question with regard to Irish administration with which he was personally connected—I mean when Lord Cowper was Viceroy, and when Mr. Forster was Chief Secretary. He also thought that in those halcyon days of Irish administration the unheard-of abomination to which the right hon. Gentleman alluded had no place in the action of the Government. The right hon. Gentleman and his Friends must recollect that though Mr. Forster had undoubtedly great difficulties to deal with in connection with Irish administration, he had methods more drastic than those possessed by the present Government, which saved him to a great extent from having to call upon policemen to closely watch and carefully follow suspected persons. He had even a more summary and effective method, because he promptly put them into prison. I suppose that over 100 out of 1,000 persons who were imprisoned without trial were imprisoned because they were suspected of boycotting and intimidation, and I call the attention of the right hon. Gentleman, who is so very free with his epithets, to the fact that when these men who were imprisoned without trial on suspicion of boycotting and intimidation were again let loose upon society, they were warned by the Authorities that their movements would be closely watched by the police, and that as soon as suspicion again arose against them they would be again imprisoned. That was before the right hon. Gentleman the Member for Bridgeton became specially responsible for the administration of Ireland. I have alluded to the special facilities which the Legislature gave to Mr. Forster. But Lord Spencer also had facilities which are not possessed—and I do not regret it—by the present Government. Lord Spencer and the right hon. Gentleman opposite gave to themselves, through the co-operation of this House, power by which any policeman might, upon reasonable suspicion of criminal intent on the part of any stranger in the district, bring him up before a single Magistrate and bind him over to keep the peace. When the right hon. Gentleman next desires to make an attack upon the Government, I hope that he will reflect upon the power he thought necessary to give himself in order to deal with these very questions of boycotting and intimidation which we are doing—as he was bound to do—our best to cope with. Again, anyone who was found out at night under suspicious circumstances could also be taken up by the police and brought before a Magistrate. But neither Lord Spencer nor the right hon. Gentleman opposite confined themselves to the exercise of the powers specially given them by Statute. I read to the House the other day, in answer to a question, a particular example which was brought before the notice of this House by the hon. and learned Member for Longford, some time in 1882, and I will do myself the honour of again reading, with the permission of the Committee, what I have already called to the attention of the House on a different occasion. In the *Belfast Morning News*, a Nationalist paper, there appeared the following statement on the 9th of June, 1882, with regard to the case of one Grant, a local contractor :—

> "Grant had a constable by his side during working hours. When the toils of day were ended his second personality hovered about the precincts of his residence. When visiting his farm the same individual invariably was there. While even on Sundays he relaxed not his vigilance, but moved behind this unhappy gentleman while on his way to prayers."

On the subject of this statement a question was asked by the hon. and learned Member for Longford of the then Chief Secretary for Ireland. All the then Chief Secretary thought it necessary to say was that it was quite true the police had been carefully watching the individual mentioned, but that in the public interest he declined to say on what ground they were doing so. That person was not suspected, as was stated by the hon. and learned Member for Longford, of having anything to do with the murder of Lord Frederick Cavendish, but was suspected of having been concerned in a very grave conspiracy to murder, and he was never convicted, although I have myself no doubt he was guilty. I have no doubt that humane and liberty-loving Gentlemen opposite would never have had him shadowed unless they had the strongest ground of suspicion. I do not know I do them more than

justice, and it is on that ground, and that ground alone, I venture to express to the Committee my confidence that probably the police on that occasion, acting under the orders of right hon. Gentlemen opposite, were not acting beyond their duty. That is a case in which on suspicion—on what hon. Gentlemen believe to be groundless suspicion—this man was shadowed with as much severity, and was as such subject to the damnable system—if that is to be the phrase—as any person shadowed during the tenure of office of the present Administration.

MR. DILLON (Mayo, E.): At what distance did the policeman follow him?

MR. A. J. BALFOUR: I am afraid I cannot tell the hon. Gentleman the distance.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): Was the policeman in uniform?

MR. A. J. BALFOUR: I cannot answer even that; but perhaps the right hon. Gentleman will get the information he desires from his right hon. Friend sitting next to him (Sir G. Trevelyan).

MR. W. E. GLADSTONE: No; I want you to tell me.

MR. A. J. BALFOUR: It happened in 1882, and though I cannot speak with certainty I think it extremely probable that the man was in uniform. It must be recollected that this was not an isolated act of the Government of Lord Spencer. I have looked through the Papers on this subject, and I say that down to the very expression "shadowing" in those records you will find—[MR. GLADSTONE: Produce them]—that the very men who now denounce us practised almost the same methods.

MR. W. E. GLADSTONE: I hope the right hon. Gentleman will, for the sake of the public interest, as well as his own character, produce the records to which he now refers.

MR. A. J. BALFOUR: I doubt whether confidential Orders of this kind should be given to the House.

MR. W. E. GLADSTONE: Then what right have you to state them here?

MR. A. J. BALFOUR: I have the right that every man has when he is accused of what has been called an "abomination," to point out that his accusers, if there be guilt, are as guilty as himself.

MR. W. E. GLADSTONE: Produce them.

MR. A. J. BALFOUR: Before I proceed further with my historical view of the matter, there is one part of the case which I venture to brush aside. In this House and elsewhere we have heard of what is most improperly and absurdly described as the shadowing of English visitors. I suppose that what happens is this: Some gentleman, anxious to become acquainted with the Irish question, takes a tour in Ireland. He associates himself with some organiser of the Land League, or other person who is under police surveillance. He then sees the policeman following, and flatters himself that he is the object of this attention. He then finds himself wafted into unexpected importance, and, perhaps, finally he is immortalised by a question asked across the floor of this House.

THE EARL OF CAVAN (Somerset, S.): Does the right hon. Gentleman mean that description to apply to three men about whom I sent to Ireland and about whom I asked a question the other day? Their luggage was searched when they landed. They could not be mistaken for anybody else, for, besides having their luggage searched, they were shadowed from the moment they landed until the moment they left the country.

MR. A. J. BALFOUR: The noble Lord has put on a cap which was not intended for him. I know nothing about the searching of luggage to which he refers, but the three persons must surely have had a very suspicious appearance to have attracted the attention of the police so soon. I was not thinking of the noble Lord's friends, whose case I had, in fact, forgotten, but was referring to cases in which persons thought themselves the object of the special attention of the Irish Government, imagined that their presence in Ireland sent a thrill through the Irish Executive, and that special orders were sent down from Dublin Castle to see that the peace of Ireland was not disturbed by their advent. I now come to what I take to be the serious part of the charge, which I propose to deal with somewhat more fully. In order that the Committee may fully understand the peculiar necessities which have arisen in

the last few years for close police surveillance, I must ask them to call to mind what took place at the Thurles and other Conventions, called together by the hon. Member for East Mayo (Mr. Dillon) and some of his Colleagues towards the end of 1888. At the Thurles Convention the following resolution was passed :—

"That the names of landgrabbers, grass-grabbers, emergency men, and their supporters, as well as those who dealt with them, be sent to each branch represented at this Convention, as well as of cattle dealers and pig buyers ; and that a Committee of six be appointed in each branch to carry out this Resolution."

There is not now, and never has been, the slightest doubt as to what that Resolution pointed at. The idea was that any man who had the audacity to do what may be done with impunity in any civilised community in the world—hire a farm which was to let, and from which a man had been evicted—was to be boycotted in the farm and in the town where he went to sell his cattle, and at the fair no man was to be allowed to purchase from him. How was that to be carried out? The Committee of six pointed to the method. What were called Vigilance Committees were appointed to see that those persons who had taken evicted farms should be followed, should be "shadowed" at the markets where they attempted to sell their stock, and that in the pursuit of their lawful calling they should be impeded even to their ruin. The teaching of the hon. Member for East Mayo was fruitful in this case, as it has been in many others. Whatever I have said of the hon. Member for East Mayo, and I have had to say many things of him, and have often found myself in sharp conflict with him, I have never said he was an individual whose teaching did not bear fruit for good or evil. My only regret was that his teaching was so seldom felt for good, and was so often felt for evil. In order that Gentlemen opposite may judge of whether his influence was for good or for evil I will read what was said by the *Tipperary Nationalist* on November 7, 1888. That paper, giving a description of the proceedings of one of those Vigilance Committees, said—

"The Vigilance Committee successfully to the front in Clonmel . . . . From early morning scouts were out in the Clonmel fair on Monday, and wherever the emergency man had his cattle the boys manifested the most practical solicitude imaginable. . . . . The notorious Ned Tobin was vigilantly watched, and as a consequence he had to take back his stock. So also had another grabber in the person of Major Gobbett. With the characteristic interest which Mr. T. J. Condon, M.P., takes in the welfare of his constituents, he was present all day, trudging almost knee-deep in slush, anxious to know, you know"

—(observe the humour of the *Tipperary Nationalist*)—

"whether there was an improvement or declension in the price of cattle."

That is a general account of the methods pursued by the allies of the liberty-loving Member for Mid Lothian. I will venture to give the Committee an example of the method by which this system of Nationalist shadowing was carried out, and the result which ensued. There was a man named Thomas Fitzgerald; he was poor; he occupied a small farm, and he had a large family. His whole means of livelihood depended upon his working this farm and being able to sell what the farm produced. He occupied this farm in succession to one Casey, who had been evicted [*Irish cheers*], being hopelessly insolvent. I do not know whether the doctrine above the Gangway opposite is the same doctrine that prevails below the Gangway—that every tenant in Ireland, solvent or insolvent, has an indefeasible title to stay in his farm as long as he pleases, whether he pays rent or not.

MR. DILLON: Will the right hon. Gentleman be good enough to quote, if he can, the statement of any Member below the Gangway to that effect?

MR. A. J. BALFOUR: I stated that the man had been evicted, and there were cheers from below the Gangway, which showed that hon. Members thought that it was sufficient condemnation of Fitzgerald that he dared to occupy a farm from which an insolvent tenant had been evicted. If those cheers did not mean that, they were even more meaningless than the cheers with which hon. Members usually favour us. This man Fitzgerald, who occupied the farm from which Casey had been evicted, lived for some time afterwards in perfect friendship with his neighbours. For reasons which I need not trouble the House with, this state of things did not last, and he was boycotted.

He was brought to the notice of one of these Vigilance Committees, and the wretched man, when he took his pigs to Dungarvan Fair, found that he was being shadowed by one of the vigilance men for whose appointment the hon. Member for East Mayo was directly responsible, and hon. Members above the Gangway opposite indirectly responsible. He could not sell his pigs and he had to take them back; but it was so very necessary that he should dispose of his stock that he determined to take them to the fair at Waterford, a distance of 20 miles from his farm. He started in the middle of the night in order to arrive at the market in time. The vigilance man who had been set upon his track, who was shadowing him, in fact, heard that he had started, took a car, and arrived at Waterford in time to watch his victim, when that victim should attempt to sell his pigs. Fortunately, the police had reason to believe that Power, the vigilance man who was shadowing Fitzgerald, was engaged in that task, and so Power was himself in turn shadowed. Fitzgerald was relieved from the persecution to which he had been subjected and Power was arrested, and is, I believe, at this moment in prison in default of giving bail. You have here two concurrent examples of shadowing—the shadowing by the National League and the shadowing by the police. Which do you prefer? Which is the damnable system? Is it the system by which this unhappy man was brought to the very verge of ruin for doing nothing, except what he had a perfect right to do, or is it the system by which he was protected from his persecutors?

MR. W. O'BRIEN (Cork Co., N.E.): Is is not the fact that Fitzgerald has since surrendered the farm?

MR. A. J. BALFOUR: I think it is only too probable that a man subjected to the persecution which I have described has at last succumbed. [*Cheers.*] If hon. Members below the Gangway think that a subject for mutual congratulation, I should be surprised—no, I do not know that I should be surprised if their sentiments were shared by some of those who now support them above the Gangway. I may be told that this shadowing by the police is useless to stop this form of persecution. Well, look at the well-known Salford case. In that case some cattle were sent over here by a man who had taken an evicted farm on Lord Massereene's estate. The former tenant had been evicted for refusing to pay his rent and joining the Plan of Campaign. I think he was the individual who did the shadowing of the man who succeeded him. He came over to England and attempted to do here what the hon. Member for East Mayo recommends his disciples to do in Ireland, and apparently he was fool enough to rely upon the statement, made so frequently by hon. Members opposite, that the law in England is different from the law in Ireland. I think he will have a lower estimate of the legal knowledge of hon. Members opposite now than he had then, for he was promptly brought up not under the Crimes Act, and not before two removable Magistrates, but under the Common Law of England, before an English Judge and English Jury, and he and his associate in crime were subjected to a heavier sentence than even the much-abused removables would probably have passed in the sister island. One more instance only will I give of the value of this system of shadowing in protecting persons in Ireland in the legitimate discharge of their callings. There was a man named Fleming, a small farmer, who had adopted the principles and practices recommended by the hon. Member for East Mayo. He became a member of a Vigilance Committee, and he was followed by a constable in plain clothes. He was overheard stating that he was a paid agent of the National League that co-operates with the right hon. Gentleman opposite, and he was sentenced to six months' imprisonment. He appealed to the County Court Judge, and the sentence of the Resident Magistrates was confirmed. If you will consider the machinery which the hon. Member for East Mayo, with the full consent of his Party above the Gangway, has set in motion in Ireland for the avowed purpose of ruining every man who takes an evicted farm—if you will notice that the machinery consists essentially in shadowing, and that its whole object is to destroy, the lawful calling of those against whom it is directed, I think the Committee will come to the conclusion

not only that we are amply justified in the course which we have taken, but that every lawful means in our power should be used to put an end to this cowardly, tyrannical, criminal system. I pass from the general question of National League shadowing at fairs to the case of Tipperary and the shadowing that has gone on there. In Tipperary there was no question of land-grabbing, of agrarian quarrel between landlord and tenant, of excessive rents, of cruel administration of his estate by the owner of the soil. But some Gentlemen from below the Gangway opposite thought fit to go to this hitherto peaceful community to introduce strife which has caused more suffering and misery than have attended almost any other episode in recent Irish history. The tenants of the landlord, rural and urban, were ordered not to pay rents. When their interests were sold up, a few had the audacity to buy in; certain others had the audacity to continue to pay that which they lawfully owed. What was the consequence? Their houses were wrecked—fired into. Boycotting notices were posted about the town; explosive bombs, playfully called squibs by the hon. Member for East Mayo, were thrown against their houses or into their yards; their servants were compelled to leave; their customers were followed by vigilance men, men told off to boycott; the goods those customers had purchased were taken from them and destroyed; they themselves were threatened and subjected to outrage. I take it that none of these facts will be denied.

MR. W. REDMOND (Fermanagh, N.): Every one of them.

MR. W. O'BRIEN: Why did not the right hon. Gentleman submit these alleged facts to examination by a Commission as we proposed?

THE CHAIRMAN: Order, order! I must beg hon. Members to abstain from these interruptions. They will have ample opportunities of replying.

MR. A. J. BALFOUR: The shadowing which has taken place in Tipperary is fully justified by the duty of the Government to do their best to stop this chronic intimidation. If a man in Tipperary is known to be engaged in these practices he is shadowed and rightly shadowed. Does the right hon. Gentleman deny that? Does he think that it is a monstrous proceeding on the part of the Government to try to protect these unhappy victims of irresponsible tyranny? Perhaps he may say Father Humphreys was innocent of boycotting. Father Humphreys has had the courage of his convictions, and he has openly declared, without concealment and without disguise, that he, at all events, will not disavow this practice of boycotting. [*Home Rule cries of* "Why don't you prosecute him?"] Hon. Members apparently have not realised the fact that if a man makes a speech in favour of criminal conspiracy, or writes a letter saying that he has taken part in a criminal conspiracy, it is not legal evidence. If the ordinary legal evidence had been forthcoming that Father Humphreys had made the speeches which every one knows that he made, he would have been prosecuted. But the fact of his moral guilt is not denied by himself; and whatever surprises this Debate may hold in store for us in the way of assertion, it will not hold in store the surprise that any of Father Humphrey's friends will get up and say that he is innocent of the boycotting which has been the disgrace and the curse of Tipperary for some time past. Are we to be told that we are violating the liberty of the subject by doing our best to stop the practices of this man, whose whole business in life is to make the liberty of the subject impossible in Tipperary? A more preposterous and ridiculous action has never been done in this House than to point to him as the victim of a vindictive Government. It has not been denied that while we are accused of shadowing, the people who invented it and carried it out to a greater extent than any police in the world are those who obey the unwritten law of the National League. I was amused the other day to see a letter from a Mr. R. Holland Owen in the *Macclesfield Chronicle* of the 30th of May, 1890. It contains an account of the events of the Tipperary meeting, but I only allude to it for the purpose of reading the following sentence:—

"I had not made myself known up to this, and I began to feel uncomfortable, as I felt I was shadowed, but who by I did not know, so I showed my letter of introduction to a priest on the quiet, and the shadow was at once re-

moved. The Nationalist leaders told me on the Sunday evening they know me for a stranger, and were afraid of an enemy, and had me shadowed."

They are the gentlemen who come down here, and, with the countenance of the right hon. Gentleman opposite, profess themselves as the great apostles of the liberty of the subject. They are the men who say that the liberty of the subject is hopelessly interfered with by the process of shadowing, and it turns out that it is a part of their regular system, and that it only differs from the action of the police in that, while they shadow for criminal purposes, the police shadow for the sole purpose of preventing crime. I do not wish to make any attack upon hon. Gentlemen below the Gangway. I have not to-night, and I never have, concealed my view of the practices by which they carry out objects which, no doubt, they think noble and patriotic. But I do not propose now to make them the subjects of any personal atttack. If I were disposed to make a personal attack at all it would not be upon them, but upon right hon. Gentlemen above the Gangway. I honestly confess that I do not think that history shows any meaner or more contemptible spectacle than that of hon. and right hon. Gentlemen, Members for English constituencies, who have themselves been responsible for the government of Ireland, turning round and, in concert with their former foes, doing all in their power to prevent the police from carrying out the most elementary duties of justice—the elementary duty of protecting every man in the exercise of his rights. I think sometimes that to hon. Gentlemen themselves it must occur that they play a very sorry part in this business. To the right hon. Gentleman the Member for Bridgeton it must occur that, when he makes these attacks upon those who are his successors in a difficult office, they deserve some better treatment than he and his allies give them. I do not mind, and I never have minded, personal criticism and attack; but what I do mind is that the task which we have taken in hand—the vindication of the law—is deliberately hampered in the interests of a particular political combination, and by men whose traditions should have taught them a very different lesson. When I listen to speeches such as that delivered the other night by the right hon. Gentleman the Member for Mid Lothian, who came down and denounced me in the most violent terms because of what he described as the nameless abominations of which we have been guilty, I confess I thought that the ancient traditional honour of a great political Party had fallen low indeed.

(7.8.) MR. W. E. GLADSTONE: As the right hon. Gentleman has done me the honour to drag me into this Debate, I shall be compelled to occupy for a very short time the attention of the Committee. The right hon. Gentleman closed his remarks with what I may call—though I do not think he considered it so—a personal attack. One of the peculiarities of the right hon. Gentleman is that he has got a set of definitions which he applies at his will, and any criticism of his government in Ireland is a personal attack on himself, while the loudest denunciation and the use of the most violent epithets with which the dictionary can supply him—advanced by the right hon. Gentleman without the smallest attempt at particularity or proof—is not to be considered as a personal attack, but as an outburst of honest indignation from a gentleman who is engaged in nothing more or less than a vindication of the law. The attacks of which he complains have not been for his legality, but for his illegality—for the grossly illegal acts to which he has given the direct countenance of the Government in Ireland, and for the culpable indifference with which he has tolerated the illegality of those who act under him. But I am not about to waste the time of the Committee in a general discussion of that kind. The right hon. Gentleman has cast his net very wide. It will not be his fault if this Debate does not extend out of consonance with the views of the right hon. Gentlemen at his side with regard to the speedy winding up of the business of the Session. He has thought fit to make a personal reply to a speech delivered by me on a former occasion; and in regard to that speech I need not say—for it is so much a matter of course—that he has misrepresented it. The right hon. Gentleman says that I made

charges on that occasion with respect to which I ought to have made inquiry as to their foundation, or as to the countenance which they have received from former Governments; and he says that with regard to the practice of shadowing —which was described from his own side of the House in language much more violent than that in which I characterised it—I accused him of that abominable practice. I made no accusation upon my own credit or upon my own knowledge. I stood entirely upon what had been said in the Debate in the House of Commons, and I apprehend that it was impossible for any conduct to be more thoroughly Parliamentary. My hon. Friend the Member for East Mayo (Mr. Dillon) has given details of a practice under the name of shadowing, which practice, in my opinion, deserves condemnation in the severest terms that can be found to apply to it. But I do not believe that I used one single expression charging the guilt of that practice on the right hon. Gentleman. I never do make such charges upon him until he has himself adopted, avowed, and defended the abuses that we endeavour to condemn. The hon. Member for East Mayo made those charges, and the right hon. Gentleman did not reply to them. He did not disavow the practice. He did not condemn it. Thus, without holding myself personally responsible—because I did not know how far the right hon. Gentleman might be exactly acquainted with the facts—I described the practice of shadowing, such as it had been described without contradiction in this House, and such, therefore, as I was bound to take it to be, in language less strong than that which was applied to it by a supporter of the right hon. Gentleman. The right hon. Gentleman says that, in order to avoid rhetorical misadventures, I ought to consult those who have information as to what has been done in former Administrations. The hon. Member for Mayo made known these facts to me before his statement in the House, and I did ask him if there was any precedent for such proceedings in the former Government of Ireland. He said that, to the best of his knowledge, there was not. But I know well that the spirit of Administration has long been anti-national and anti-Irish, and that there have obtained a footing in it practices which are frequently unknown to the heads of the Government in Dublin; and the right hon. Gentleman charges upon me, as Prime Minister in a former Administration, what he ought never to have charged upon me, even if I had been the Chief Secretary to the Lord Lieutenant. I never make a charge of that kind until I know that the facts have been within the cognisance of the person engaged in the Irish Administration, and until I know that he has made himself responsible for it. I am sorry to say, Sir, that on this occasion the right hon. Gentleman has gone very near to making himself fully responsible for this practice—this abominable practice—which was charged against the Irish Administration in a former Debate, and with which, no doubt, I did charge the right hon. Gentleman. The right hon. Gentleman quotes the case of Mr. Grant, which he says deserves all the blame that has been allotted to the recent proceedings in Ireland in our late discussions. Well, Sir, with respect to the case of this man Grant, I requested the right hon. Gentleman, as he made this accusation, to produce the facts. He has given no engagement to produce the facts. I shall again request him to produce the facts. I shall again state that we have a right to the production of the facts, and I shall again show how hollow is the refuge behind which the right hon. Gentleman has endeavoured to shelter himself against the production of the facts and of the supports on which he relies for the imputation he thinks fit to make. We have not the facts before us. I hope my right hon. Friend near me will be able to give to the House some light upon this subject—some fuller light than we have obtained from the right hon. Gentleman; but I point out, for the present, that the essence of the charge made against the Irish Administration with respect to the shadowing at Tipperary is this—that it depended upon the fact, first of all, that the shadowing police were kept close to the persons shadowed; secondly, on the fact that the shadowing police were common police-constables, or, at any rate, constables in uniform, thus blazoning the insult in the face of the public; and, thirdly, on the fact that the police were shadowing individuals upon the mere suspicion of

what the right hon. Gentleman calls boycotting. When we spoke of boycotting seven years ago we meant boycotting associated with crime. The right hon. Gentleman means boycotting entirely apart from crime.

MR. A. J. BALFOUR: No, I do not.

MR. W. E. GLADSTONE: What I mean is this—that the acts which he has denounced and for which he shadows are acts which we contend are acts totally apart from crime. What are the resemblances so far as we know them? The Member for Mayo (Mr. Dillon) asks what was the distance between the police officer who watched Grant and Grant himself. The right hon. Gentleman says he does not know. I asked the right hon. Gentleman across the Table whether the police officer was in uniform. The right hon. Gentleman said he did not know, and suggested that I should ask my right hon. Friend near me. Then, with regard to the cause for which the shadowing took place, it appears from the mouth of the right hon. Gentleman himself that this man was watched—I will not say whether he was shadowed or not until I know more about it—that this man was watched because he was deemed to be guilty of a conspiracy to murder. That is the parallel the right hon. Gentleman gives for what is now being done. Relying always upon the argument of *tu quoque*—and I fully grant he has nothing else to rely on—that is the sort of parallel the right hon. Gentleman has established and on which he thinks to ground his charges. So much, then, for his parallelism of circumstances which I need not further elaborate. But I asked the right hon. Gentleman to produce the facts, to produce the records. What said the right hon. Gentleman? "I doubt very much whether I can produce confidential instructions." It is extremely convenient that there should be a class of controversial papers in existence, the essential conditions of which are these—first of all that they have been made the subject of charges made publicly across the Table in the House; and, secondly, when you are challenged to produce them—"Oh, no, they cannot be produced." This is the gallant and chivalrous conduct of the right hon. Gentleman, who sees nothing so mean and contemptible as the conduct of politicians above the gangway. Let him show what it is that is mean and contemptible in our conduct, as I will endeavour to show what is gallant and chivalrous in the conduct of the right hon. Gentleman. He has quoted especially against me the contents of papers which he says he cannot produce because they are confidential. I ask whether those are the terms upon which Ministers of the Crown have ever been accustomed to defend themselves, and whether those are the terms upon which we are to submit to be lectured by the right hon. Gentleman upon honour and gallantry? All this about confidential papers was a mere subterfuge. We never asked for the production of confidential papers. I want the production of facts, and the right hon. Gentleman having made a charge in this House that we are guilty of, that we allowed, proceedings analagous to those which a supporter of the right hon. Gentleman described as being "damnable," let the right hon. Gentleman produce the record of the facts. He shall not ride off upon the confidential character of instructions. There is no question about instructions. The question is, What has actually been done? I must ask the right hon. Gentleman's attention to this. I ask him for no instructions. He has made a charge in this House as to what was done. I ask him, I request him, I demand from him—[*Laughter* from below the Ministerial Gangway.] An hon. Member makes my demand a subject for indecent laughter. The hon. Gentleman deserves no notice from me, but if he thinks fit to defend his conduct, he can rise and do so in this House. The right hon. Gentleman now understands, I hope, what I am about. He has made an accusation against me. I ask, and I demand, that he shall produce the facts on which it rests. Does the right hon. Gentleman understand that?

MR. A. J. BALFOUR: I am not quite sure that I do. What exactly occurred was this. The right hon. Gentleman stated this was a new practice.

MR. W. E. GLADSTONE: I did not say so.

MR. DILLON: I said so; and so it is.

MR. A. J. BALFOUR: The hon. Member for Mayo said it was a new practice. I pointed out from existing

Parliamentary records that a precisely parallel case—[No, no!" from the Opposition]—in my opinion, at all events, a precisely parallel case—occurred before. These facts were alleged by the hon. and learned Member for Longford (Mr. T. M. Healy), and they were not denied by the Minister of the Crown responsible for the government of Ireland. I do not know what more facts can be asked for.

MR. W. E. GLADSTONE: What the right hon. Gentleman stated was simply an extract from a newspaper. The answer given at the time by my right hon. Friend near me (Sir G. Trevelyan) did not give, and did not purport to give, the exact facts of the case. What I demand of the right hon. Gentleman now is that he shall give a statement from the official records of the Department of the circumstances which occurred and which he made the foundation of his charge. There is nothing in this House by which we can judge of the circumstances of this case. A statement in a newspaper does not help us to judge how far it was a parallel case. I want the police accounts of what the right hon. Gentleman himself describes as a most important police proceeding, not less abominable, if abominable either of them be, than the proceedings that have lately occurred.

MR. A. J. BALFOUR: I do not now understand what the right hon. Gentleman wants more than he has got. He is not content with my account taken from a Nationalist newspaper — the *Belfast Morning News* — as to what occurred. I was, perhaps, in error in reading from a newspaper. I will, therefore, now read to the Committee what actually took place in the House:—

"Mr. Healy asked the Chief Secretary to the Lord Lieutenant of Ireland whether his attention had been called to a statement in the *Belfast Morning News* of June 9 to the effect that the police at Castleblayney have for some days past been perpetually watching a local contractor; that a constable remains at his side during his working hours, and afterwards hovers about his residence; and if he can state the object of this surveillance, and by whom, and for what object it has been directed?

"Mr. Trevelyan: Sir, it is quite true that the police have been carefully watching the person referred to; but I must decline in the public interest to say upon what grounds they are doing so."

[*Ministerial cheers.*]

Mr. A. J. Balfour

(7.28.) SIR G. TREVELYAN (Glasgow, Bridgton): It is very easy for hon. Gentlemen to cheer, but they will not cheer, I think, when they have heard what I have got to say. I thought from the first moment of the speech of the right hon. Gentleman that he had a very poor case indeed. We had a definite case before us—that of a policeman in full uniform walking by the side of a private citizen, and another policeman in full uniform walking almost upon the heels of the man, following him in the market-place, following him in company, never allowing a word of his to go unheard, and subjecting him to the greatest temptation to take the law into his own hands. What is the parallel case? The right hon. Gentleman had to defend that, and now he has to defend the statement he made the other day, which, for the first time, I have now the opportunity of answering, that these things were constantly done in our day. The right hon. Gentleman took advantage of the enormous privilege a Minister has in replying to questions, and made a statement I will now proceed to controvert. He made a statement in regard to which he was mistaken. The right hon. Gentleman, and those who listened to him, knew perfectly well that the forms of the House prevented a denial being given at the time; yet they and the Conservative Press have gone on repeating the statement that the most serious charges have been proved against the Liberal Government, and especially against myself. This modern shadowing is a definite thing; it is not the same thing as watching a suspected criminal; it is not the same thing as is known in every civilised country of following a man who is suspected of murderous or dangerous intentions, seeing that he does not commit those actions, keeping an eye upon him. It is as different as the thumbscrew and the handcuff. In one case it is a precaution against crime; in the other, it is the persecution of a supposed criminal, or a man whom the Government determine to regard as such. This species of persecution is perfectly new under the present Government. I have referred to the legal advisers of the Irish Government under the right hon. Member for Newcastle and myself, and the distinguished lawyer who was Solicitor General, and after-

wards Attorney General for Ireland, writes—

"I did not, while I was in office, know or hear of this system of shadowing now practised. The MacDermot's recollection is the same. It seems to be a question of degree. No doubt men were watched in our time: but they were not deliberately dogged as they are now—a system which seems more likely to annoy the individual followed than to prevent crime."

What is the case now? A parish priest, Father Kennedy, whose worst crime is that he twice attended meetings of a branch of the National League which the Government had suppressed, is accompanied by policemen in uniform, one at his side, and one close behind him. Take an instance of the watching done by the Liberal Government. In 1882 Dublin was in a terrible state. There had been six or eight dreadful political murders committed. It was known that murderers were abroad in great numbers; it was known by the Government who the murderers were; and what is more, it was known they were premeditating other murders; and there were a series of—thank God, not murders—but attacks made, of which that on Mr. Field will be remembered. We considered it our duty to have a watch kept upon these murderers, or would-be-murderers, and among these so watched was Carey, who will be remembered in connection with the Phœnix Park murders. Carey was watched in such a manner that, though he perceived it, the policeman who followed him was under the impression that Carey did not know he was watched, for I well remember an anecdote in this connection. The Dublin Exhibition was being held at the time, and Carey went to visit it. When he came to the turnstile he paid for himself, and he paid, he said, "for the man who was following him," much disconcerting the policeman, who up to then had been under the impression that Carey did not know he was being watched. The contrast between this mode of watching and the way in which Father Humphreys is dogged by the police, is a contrast everyone can understand. I have asked Irish Members whom I have been able to communicate with, the hon. Member for East Mayo (Mr. Dillon), and the hon. Member for North Roscommon (Mr. O'Kelly), and others, whether, under the Liberal Government, they suffered from this method of shadowing, and they unanimously say it is new to this Government. Similar testimony is given by a newspaper correspondent, who writes in a spirit of great hostility to the Government to which I belonged—the Irish correspondent of the *Manchester Guardian*—who says that, irritating as was the administration of Sir G. Trevelyan, of which he had full knowledge down to the most minute particulars, it had nothing in common with the despotic encroachment on the liberty of the subject which is now being practised. Thus a writer who is not at all prejudiced in my favour supports the views of our legal advisers and the statements of Irish Members. Against this body of evidence the Government have no official facts to quote. The new method is one of gross personal insult, from which a man cannot free himself. If he commits a technical assault, he is brought before a Resident Magistrate and charged with assaulting a constable in the execution of his duty, and he will get a month's imprisonment, against which sentence there is no appeal. If he brings an action against the constable, everything will be done that a powerful Government can do to cause delay, to prevent damages being obtained, and to hinder the highest Courts from pronouncing against the system. This is the Police Vote, and I will now say a few words on police administration generally. Undoubtedly, the police in Ireland are demoralised by the peculiarities of the present system of administration; and, speaking generally, there are three circumstances which are adverse to good relations between the police and the people. One is the intense centralisation, which renders the Force very costly. In Scotland there are 4,000 police, who cost in pay and pensions £400,000. In Ireland, with only a million more of population, the police number 14,000, and their pay and pensions cost £1,600,000 a year. That is not all. The effect of centralising administration of the police in Ireland is an economical lesson for us in England; it makes reduction of expenditure impossible. In local administration you have the advantage that the authorities can apportion the pay to the rate of wages ruling in the district. In Scotland the rate of police pay differs from 27s. to 21s. a week; in Ireland, whether

a constable is employed among the highly paid artisans of Belfast, or in the remote parts of Kerry, his pay and pension is the same. The despotic Military Police Force of Ireland is decidedly expensive as compared with other Police Forces. Then the Irish Police are in bad relations with the people on account of the teaching the police receive from the Government. They are taught to despise the public feeling of their countrymen, and to disregard the right to free speech, because one of the crimes for which a man is shadowed is that he is suspected of having attended a meeting of a suppressed branch of the League. They are also taught to show disrespect to the priests, the very men who can bring some influence other than official influence to bear upon their own relations with the people. Thirdly, they are taught to look down upon Members of Parliament. The Constabulary have been taught to regard with disrespect the representatives of five-sixths of their countrymen. They have carried this to the extent of attempting the arrest of an Irish Member at the door of this House; and though an important Committee drawn from both sides declared this an infringement of privilege, the Government used its majority outside the Committee to burk the Report. The police have been taught to despise the representatives of their country in Parliament—taught to regard their statements as unworthy of credence, and a Force intended to be a neutral body has become the Force of a partisan minority. These assaults upon the freedom of Irishmen arise from the fact that Irishmen have no political power. As Fox once pointed out, "Civil liberty can have no security without political power," and for practical purposes Ireland has hitherto had no political power, being outvoted in this House, and having no representative whatever in the Upper House. For this latest attack on the liberty of individual Irishmen the Government have not even the miserable excuse of precedent. This form of shadowing they did not find. They invented it. It has arisen with the *régime* of the present Government. With that *régime* it will die.

(7.49.) MR. W. E. GLADSTONE: Perhaps I was not sufficiently clear in regard to the information which I asked the right hon. Gentleman the Chief Secretary to produce, and I may be allowed this opportunity to explain. I demanded from the right hon. Gentleman certain information, and I wish to withdraw the word "demand," which, though I may be entitled to use it, may sound, perhaps, somewhat dictatorial. I will substitute the word "request," and I now beg to request the right hon. Gentleman to obtain information in regard to the case of Grant on three points—first, whether the watching policeman was in plain clothes or in uniform; secondly, at what distance, so far as is known, did the policeman watching stand from the person watched; and, thirdly, whether his presence was purposely made known to the person watched? If the right hon. Gentleman will have the goodness to ascertain these things, so far as he can, he will do something to clear up the matter.

(7.50.) MR. WADDY (Lincolnshire, Brigg): The objections we maintain to this Constabulary Vote have not been met; there is no pretence of answering our arguments. I have said on previous occasions it is no answer to indulge in mere *tu quoque* statements. I do not believe in the accuracy of these statements, but even assuming them to be true, they are wholly irrelevant material, and no answer. When the right hon. Gentleman began his speech by saying that statements made from this side had been answered by himself or his predecessors, he entirely forgets that the only answer given before is one we cannot, will not accept, that somebody else was just as bad. You ask us now, in 1890, for very heavy Estimates on account of the Irish police, and if you asked us for the Vote under similar circumstances to those upon which you ask the English Vote, I should not be prepared to deny that you are entitled to every penny of it. But our complaint is that this money is not used for the purpose for which you ask it. Exception is taken to this Vote because the Irish police, instead of being used, as in England, for the purpose of keeping the peace and protecting the people, are planted like an alien army amongst them. It is all very well for you to talk of boycotting and intimidation; we know that you have Ireland in

a state approaching that of civil war, and that when you boast of peace and order there you say the thing which is not. Instead of being the guardians of peace and order, your police have become the tools of tyranny. You have succeeded in producing a condition of things which year by year becomes worse. I noticed it was but in a half-hearted way—until he had lashed himself into indignation—that the right hon. Gentleman addressed himself to the defence of his Administration; and this gave encouragement to those of us who have a hope that the right hon. Gentleman will some day get better light and come to be a good Home Ruler. There was something very different in the speech to-night from the earnest, powerful flow of eloquence to which the right hon. Gentleman has long accustomed us, and as we saw him try to make headway our hope of better things from him grew stronger. But the facts remain. I, with other English Members, have been an eye-witness to the brutal proceedings of the Irish police. We have seen the people beaten by the police without provocation or justification. Those assaults have been made upon Members of this House, who have made their complaints here. But you use the police to prevent inquiry. You give us police statements; but you will not call the witnesses. When we complain of what we have seen—some of us of what we have felt—you meet us with statements of witnesses whose names you will not give, whose evidence you will not submit to the test of examination. In vain we heap up facts; we get no answer, and I suppose we must bear it while your system of administration becomes more demoralising and humiliating—I will not say more despised, for that is scarcely possible. The Irish people suffer under the worst possible form of despotism, a constitutional despotism, and we can only go on protesting against a state of things which, though denied, is known to exist. I assume it is right for these policemen to watch, and to follow persons who they believe are going to be guilty of crime, But I desire to draw the attention of the House to the fact that the energies of the police are being devoted only to the detection and punishment of crime such as is of a political character. Now, the attack on this Constabulary Vote is of a political nature. The Force is being used for the maintenance of Her Majesty's Government, and not for the maintenance of public peace. It is the Government who are determined to break the peace, rather than leave their seats on that Bench. I maintain that the money granted under this Vote is not honestly appropriated. It is devoted to political purposes. It is used for hindering Irishmen from expressing their opinions. It is used in order to try to persuade the people that you have put down the National League. It constitutes the sinews of war, and the war is a civil one between the Irish people and Her Majesty's Government. We protest against your using for your own purposes a Force employed for National purposes. It is all hypocrisy to pretend that this thing, which you call a Constabulary Vote, is really a Vote in the interests of peace and order. There will be peace and order if you clear this Force out of Ireland. I can give instances in which, in the absence of the police, the largest assemblages of Irishmen for political purposes have passed off without the slightest disturbance. That has taken place constantly, and if you would only allow the Irish people, as you did in Limerick the other day, when I was there, the power of assembling together—a power which you dare not deny to the people in London—for the purpose of maintaining their political opinions, the work of the police would be gone at once, and a great deal more than one-half of this expenditure would be saved. But, instead of that, you try to suppress these meetings. You use your police for the purpose of watching those who attend them. At one meeting in Arthurstown there were actually more policemen than grown-up civilians present. Had the police been absent there would have been perfect peace and order. There would have been no attempt to create a disturbance; but, in consequence of the presence of the police, there were broken heads and broken musical instruments. No doubt, I shall be told that we have heard these things over and over again; but I maintain that it is necessary to make these statements in the place in which, if they are untrue, they will be contradicted. They are never contradicted, and we are quite willing to leave the people to draw their own conclusions from that fact. I

attended an enormous meeting which was held in Limerick recently. There were probably 60,000 persons present—persons from a neighbourhood which the Government had proclaimed because they said it was disorderly and dangerous. Yet there was no disturbance, and why? Because there were no policemen present. The soldiers and the police had been withdrawn, and if you would only on other occasions trust Irishmen to conduct themselves with decency and propriety, I say there would be perfect peace, perfect order, and perfect quiet. But you do not want to see that. You will not save the public money and time, and it is because you have taken up that attitude that we oppose this Vote. If you will only do justice to Ireland, and the people who live there, you may get rid of this enormous Constabulary Force. You have only to believe that the people are—as we are always telling you they are—law-abiding citizens.

*(8.10.) MR. J. ROCHE (Galway, E.): I intend to give a few facts as to the manner in which the police are used in Ireland by the Chief Secretary. Speaking of the Clanricarde estate I find the rental is something like £1,900 a year, and within the past four years the cost to the Government of evictions on that estate has been something about £10,000, or more than the rental of the estate. The police in the locality have been increased from 15 to 60. The Force has not been increased for the purpose of detecting crime or preventing outrages, or breaches of the peace. Within the past four years there has not been one serious outrage committed in the locality; and as for the peace of the locality, I venture to say that half a dozen policemen could have protected the peace. This extra force has been brought into the district to act as the servant of the landlords, who are the friends of the present Government. Now, how have they been employed? In October, 1887, on the night of the famous midnight meeting at Woodford, the police for their own reasons waited until the excitement was at its height, namely, just as the Member for North-East Cork and his English friends arrived in the town, before they served a proclamation on the promoters of the meeting. Their object, I contend, was to create a breach of the peace. No doubt when the proclamation was served there was some little friction between the police and the people for a little while, but I, together with other gentlemen, interfered, with the result that the friction cansed by the conduct of the police ceased there and then, and we received the thanks of the District Inspector of Police for our action. But, strange to say, eight weeks after that, without the slightest intimation, eight or ten of us were arrested, brought to the police barracks, let out on bail, summoned before two Removables, and sent to herd with thieves and pickpockets in Galway Gaol. On the same occasion Mr. Kerry was arrested and charged with taking part in an illegal assembly. The only evidence against him was that of a constable who looked in through the window of Mr. Keary's house and saw Mr. Keary. There was no evidence that Mr. Keary took the slightest part in that meeting, or that he was outside his own door that night; yet he was sentenced to one month's imprisonment. In December, 1887, Mr. Boland, Mr. Reilly, and I went to Loughrea to meet Mr. Egan, whom Mr. Boland and myself had left behind us in Galway Gaol. The fact of a man being singled out by the Chief Secretary as a criminal is sufficient in itself to have him honoured by the people of Ireland. Mr. Egan was accordingly met by a large number of people, and was brought home in triumph. At Mr. Egan's request I addressed a few observations to the people. I was told by one of the police that stones had been thrown at them, and at the commencement of my remarks I stood up on a car, and, in the strongest language I could command, condemned the stone throwing that had taken place; the result was that there was not another single stone thrown. Both my friends, Mr. Boland and Mr. Reilly, remained on the car while I was speaking. On the night of the 12th January following, I was leaving a relative's house, at about 9 o'clock at night, when I was suddenly arrested by two policemen. I asked for, but was denied, the privilege of sending any message to my family, and it was only by shouting to a passer-by that I got the information conveyed to them. Accordingly, my brother, a curate in the town, and my brother-in-law, came to the barracks to see me, but they were

not allowed to. A few minutes later Mr. Boland was brought in in custody, having been dragged from off a sick bed. We were point blank denied a cup of tea, and were kept sitting on a form till 9 o'clock the next morning, when we were taken a distance of four miles, brought before two Removable Magistrates, admitted to bail, and left to make our way home as best we could. Although Mr. Reilly sat on the car with Mr. Boland at the time I was speaking, he was not interfered with, but Mr. Boland, who did not take any part in the meeting, was sentenced to three months' imprisonment. That is the kind of treatment to which we are subjected in Ireland. The real wonder is that with what we have to suffer we are so quiet and peaceable. It is not the Chief Secretary and police who are to be thanked for that quietness and submission, but the right hon. Gentleman the Member for Mid Lothian. I have other illustrations to give. Four men, Messrs. Lynan, Morrissey, and two others, were summoned and sentenced to a month's imprisonment for intimidating a man named James Mitchell, and ordered to find bail at the end of the time to be of good behaviour for four months more, although Mitchell himself positively swore that he knew none of the defendants, and had not been intimidated by any of them. I desire next to show that collusion exists between the Government and the landlord. There is a head constable who has been going about the parish of Portumna with a list obtained from the agent of Lord Clanricarde, and he has been saying to the tenants, "Here is the list of your neighbours who have paid their rent. Why not go and do likewise? If you do not you will find by-and-by that all the other tenants have paid their rents, and you will be left in the lurch." Now, if any hon. Member on this side of the House had stood up at a public meeting in Ireland and named a single tenant as having paid his rent he would as sure as fate be given six months on a plank bed. The next case to which I wish to refer also occurred in my neighbourhood. It is that on an estate, the rental of which is about £1,100 a year, while the cost of it to the Government for police to assist the landlord in collecting his rack-rents is £1,607 a year. Mr. Lewis, the owner of the estate, supplies forage for the horses used by the police, so that if Mr. Lewis is not making a profit out of his land, he is, at all events, making a handsome profit out of the Government for forage. In the harvest of 1888 I find that these policemen arrested a little girl, 13 years of age, for pulling a few turnips on her father's land. She was taken first to the landlord's house, and from thence before a Local Magistrate four miles distant. She was ordered to be released about 8 o'clock at night, and allowed to get home as best she could. The tenants recently held a meeting on this very estate to discuss a document to which there were 25 forged signatures of tenants—I do not know whether the forgery emanated from the *Times* office or some other Government Office—who asked the interference of the Archbishop in reference to a settlement on the estate. The Archbishop wrote to the signatories, with the result that he found that none of them knew anything whatever about the matter, and they publicly declared that the document was a forgery. The meeting had been announced publicly, and the police, instead of assisting in detecting the forgers, charged down upon the people and batoned them. It was manifest that the police were not in the neighbourhood for the protection of the people, and I have failed to see a single instance in which they have detected crime. With 60 police in the locality, and, except when employed at evictions, having scarcely any duty to perform, they can be frequently seen drunk. At a not very long distant from the town two policemen were found lying drunk upon the road. One was minus his rifle; the other had his side arms. They were taken to barracks, and an investigation was made. Search was made for the rifle, but unsuccessfully. At length the Sergeant came to my house, and requested me to find the rifle for him. I believe the rifle is to be found still; at any rate, I have not heard anything about it, nor do I know that the police have found it. I believe the police are employed to assist the landlords to collect their rack-rents, and if there is any hesitancy about believing that statement I will read the following letter, dated from the seat of Sir Henry Burke, January 13th. Note how it is addressed:—

"Roche.—I think my letter to Carey explains what I mean, that if Sir Henry Burke's rents are paid at 4s. in the £1 the police tax will be removed for the future."

What explanation will the right hon. Gentleman give of that? Although there has not been the slightest friction between Sir Henry Burke and his tenants, the cost of extra police to the district has been 6s. in the £1, not one single penny of which has been levied off the Lewis Estate, nor from off the Clanricarde Estate, except a little corner of it from which the people are not yet driven. The unfortunate people of Woodford, between whom and their landlord there has not been the least friction, have been compelled to pay 6s. in the £1. The facts which I have stated ought to command the attention of the British people, and to lead to the amelioration of the condition of the people of Ireland, while those who are responsible for this tyranny should be driven to the obscurity from which they should never have been allowed to emerge.

(9.11.) MR. W. REDMOND: The right hon. Gentleman the Chief Secretary commenced his speech by saying that he had nothing new to reply to. He said that the complaints that were embodied in the speeches delivered before he rose were old complaints that he had replied to over and over again. He waited until the hon. Member for the Rushcliffe Division of Nottingham had finished his speech, he then waited until two Irish Members had spoken, and though several other Irish Members—myself amongst the number—rose to continue the Debate, and make other charges against the police, instead of giving way to those whom he might reasonably have imagined had complaints to make he insisted on delivering his own speech, which he commenced by saying he had little to reply to. I think the right hon. Gentleman would have been better advised if he had postponed his speech and note of triumph until he had heard more speeches from this side of the House, and found himself in a position to judge whether there were really any new complaints to make or not. The hon. Member for the Rushcliffe Division did not by any means confine his indictment of the police to the matter of shadowing. He made a great many other complaints, and stated a great many other grievances, in connection with the police in Ireland, which the right hon. Gentleman completely ignored. He ignored every complaint with the single exception of that of shadowing, and he endeavoured to answer the case made against the police on that ground by declaring that a similar system had been carried on in Ireland under the administration of the right hon. Member for Mid Lothian. The Chief Secretary did not attempt to support that assertion by a single particle of proof. Every Member who has had experience of the practice of Government in Ireland for the last 10 years will agree with the statement made by the Member for East Mayo that shadowing or dogging the footsteps of those against whom no crime can be proved is a totally new practice, and that, whatever the right hon. Gentleman may say, this system of shadowing will be always associated with his name and term of office. Now, I do not propose to follow the right hon. Gentleman in the arguments he used in support of shadowing. He declared that it was practised by the organisers of the National League. To begin with, I say that that statement is absolutely without foundation, and I think it is monstrous that the right hon. Gentleman should come down here and solemnly charge the Irish National League with practising a system of shadowing in Ireland, without being able to prove a single case where shadowing has really been practised by anybody save the police. The right hon. Gentleman then attempted to arouse the sympathies of his followers by giving a description of the persons who have been shadowed by the police. He said that only those persons had been shadowed who had been engaged in preventing law-abiding citizens from pursuing their lawful callings, and doing what the law of the land entitled them to do. He gave us the case of the man Fitzgerald, in the neighbourhood of Dungarvan, in the county of Waterford, and he drew a pitiful picture of this man, who had taken an evicted farm, who was not allowed to sell his stock. Yes, but the right hon. Gentleman did not tell the House that the man Fitzgerald, being in possession of that farm, was actually in possession of property which did not belong to him, but to the previous tenant, who had been

unjustly evicted, and thrown on the roadside by the landlord. No one can allege for a moment that a man would be interfered with in the slightest degree who occupied a farm in a legitimate manner. But in Ireland a system has grown up which is called land grabbing, which has been proved to be the most disastrous system which has ever afflicted Ireland or the Irish people. It means that when people have been evicted—as they are every day—their property in the land is practically confiscated, and that the man who goes in and takes an evicted farm is, in the opinion of the great majority of the Irish people, in possession of property which does not belong to him. The right hon. Gentleman objects to boycotting land-grabbers. What does he want? No matter how slight his acquaintance with Irish history may be, he must know that these difficulties have always existed in Ireland, so long as evictions have been carried out by the landlords. In one way and another the sense of Ireland is against people taking evicted farms. The right hon. Gentleman objects to boycotting. But as long as the people have grievances they must protest against them, and as long as they are assailed they must protect themselves. The advice of the Irish Members is that it is much better for the people to protect themselves by combination than by resorting to the old methods of outrage and murder, which, under the auspices of the National League, have completely died away, so that Ireland is now freer from crime than England, Scotland, or any other country in Europe. The right hon. Gentleman went on to give us an elaborate account of the circumstances that prevailed in New Tipperary. He said that people had been ordered not to pay their rent, and that people who had shown a disposition to come to terms with their landlords had had their houses wrecked. I will not enter into that more than to say that the statements of the right hon. Gentleman on that head were absolutely misleading, and without foundation, and I have no doubt that when some of my hon. Friends who are acquainted with the circumstances of the struggle in New Tipperary come to address the House they will be able to put a different complexion on the whole case to that sought to be put upon it by the right hon. Gentleman. When the subject is properly gone into it will be found that the invasion of right and acts of illegality are not on the part of the people, but on the part of the hon. Member for Huntingdonshire (Mr. Smith-Barry) himself, who wantonly went down to Cork and interfered to prevent a settlement on an estate with which he had previously had no connection whatever. But now the Chief Secretary would have us believe that the only people who have been shadowed in Ireland have been those engaged in what he called shadowing boycotted men in Ireland. Why, Sir, that is completely begging the whole question. Some of the most gross cases of shadowing have been in regard to people who have had no connection with boycotting or with the land in any degree. I will refer to one case mentioned by the hon. Member for the Rushcliffe Division in his opening statement—the case of Father Brown, of County Wexford. It was never alleged that he had been engaged in a boycotting transaction, or that he had not done everything he could to prevent a breach of the peace in his district. The Government considered that he was guilty of some great conspiracy, and brought down hundreds of soldiers and police, and put in operation all the varied machinery at their disposal under the Coercion Act. But they were unable to find him guilty of crime, so they dogged his footsteps, and even, on one occasion, insisted upon following him into a house where an unfortunate woman was at death's door, and they would not let him alone though he protested he was there to administer the last rites to the woman who was dying. It was not until I raised a question in this House with reference to this priest, who is respected throughout the whole country, that the system of shadowing from which he suffered was discontinued. And yet in his speech the right hon. Gentleman had not one word to say as to cases of that kind. He had not a word to say in the case of Father Humphreys, who has been shadowed; and I fully expected he would have said something about the case of shadowing I brought under his notice the other day. A lady from New

Zealand—a Protestant and an Anti-Nationalist—was shadowed in my constituency. I drew attention to the matter, the Chief Secretary denied that the lady had been watched, and the lady herself wrote a letter declaring that the allegation was true, and that the conduct of the police had been abominable. But shadowing is not the only thing we have got against the police in Ireland. We charge against them that instead of being an impartial Police Force, such as you have in this country, or such as any civilised country possesses, the Force is used almost exclusively in the interests of the landlords. If the landlords had not found that the Constabulary were at their beck and call to carry out evictions, they would in nine cases out of 10 have come to terms with their tenants. It is the easiest thing in Ireland to clear a whole townland. In this country if a landlord has a quarrel with his tenant, and wants to evict him, he would find it very difficult to get at short notice a fully-equipped force of men to march to a given part of the country and help him to turn out the inhabitants from their houses, but in Ireland a landlord who wishes to do this —to pull down houses and make grazing farms—has the means ready to his hand. The police of Ireland are really in the hands of the landlords. It is a monstrous thing that the taxpayers of this country should be called upon, year after year, to pay £1,500,000 to support a body of men, one of whose chief occupations is the carrying out of the harsh and cruel evictions of which we read day after day. Another chief occupation of the police is the suppression of public meetings. They are never engaged in hunting down real crime. When murders occur in Ireland, and happily they occur much more seldom in Ireland than in this and other countries, but when they do, the police are the very worst people in the world to detect the criminals. In Kerry, where moonlighting has, unfortunately, taken place, the police have signally failed to detect the criminals. But when a public meeting is to be prevented, you find, as in the case of Tipperary and Cashel meetings, hundreds and hundreds of police present, for the purpose of charging in upon the people, dispersing them at the point of the bayonet, or breaking their heads with batons, preventing Members of Parliament addressing their constituents, shadowing and hunting them as if they were the commonest criminals. These are the duties which take up almost the whole time of the police in Ireland, and it is for this reason that, year after year, the Irish Members, who are as anxious as any English or Scotch Members to see an adequate and proper Police Force in Ireland, come here, and, in the interest of justice, protest against this large sum of money being annually spent in support of an armed Force who fulfil the duties I have described. What is our chief complaint in connection with the police against the Government? It is that, no matter what the police may do, we never can get them censured by the Government. Certainly, in the case of the hon. Member for Spalding (Mr. Halley Stewart), a policeman was punished. The hon. Member went to Tipperary and was shadowed. A lot of constables were told off to drive behind the waggonette in which the hon. Member was seated, and, when driving home at night, the police behaved in a most disgraceful and disorderly manner. Several of them got blind drunk and used insulting language towards some ladies who formed part of the party. For very shame, as an English Member of Parliament was concerned—it was not a matter of insulting half-a-dozen Parnellite Members—the Government reduced one of the police sergeants to the ranks and censured another constable. That is absolutely the only case, as far as my knowledge goes, in which we have alleged anything against the police, and in which the Government have done anything except back up the police through thick and thin. Hon. Members are in the habit of laughing when Mitchelstown is mentioned, but a great many things have occurred, as heart-rending and unjustifiable as the Mitchelstown affair. Take the case of the murder by the police of the boy Hepburn in Tipperary. Not a single policeman had been injured. There was no danger to life or property, but the officer, in panic, or deliberately, ordered his men to fire a volley down a narrow street, with the result that Hepburn, a boy of 14 years, was killed. A Coroner's

Jury returned a verdict of wilful murder against the police, but not a man of them was proceeded against by the Government. When we ask for an inquiry into the conduct of the police on that occasion, the Chief Secretary refuses an inquiry. The Attorney General for Ireland backs up the Chief Secretary. What are we to think here? We can only think that the Chief Secretary and the officials in Dublin Castle know that the conduct of the police was unjustifiable, and that they murdered the boy. Why are they afraid to give us an impartial inquiry, which, before the whole world, would set the matter at rest, and decide whether we or the Chief Secretary are right in the view we take? I want to refer to another breach of conduct of the police in Ireland. The police have been constantly set by the Government to perform the duties of shorthand notetakers. There are a few men in the Force who are professional shorthand writers, but outside of these men the Government have extensively employed common constables to report speeches. Some time ago I had the advantage of being prosecuted by the right hon. Gentleman on the ridiculous charge of conspiracy. The right hon. Gentleman got his usual conviction, but he has never had the pluck to follow it up by sending me to prison. At the trial a policeman produced a note-book, and in the most glib manner read my speech, sentence by sentence, without a single inaccuracy. My counsel, in order to test the capacity of the constable to take shorthand notes, read out deliberately, much more slowly than it is customary to speak at a public meeting, half a column of a speech or a leading article, and asked the constable to take it down in shorthand. After he had taken it down he was required to retire and to transcribe his notes. In the course of two hours he returned to Court, and was asked by Counsel, "Well, have you written out the Report you took in shorthand of what I read?" "No, Sir." "And why?" "I was not able to do it, Sir."—"And you made no attempt?" "No, Sir; I could not do it." And yet this miserable wretch evidently thought that by swearing against me he might get some promotion and favour at the hands of the authorities. All over Ireland it has been proved that so demoralised have the police become, so utterly are they lost to a sense of shame, so great is the system of bribery, and egging them on to commit injustice against their fellow-countrymen, that they are guilty of the grossest perjury. Do the right hon. Gentleman and the officials in Dublin Castle take any notice of this conduct? Certainly not. I have known men convicted of perjury, and seen them two or three days afterwards with their notebooks in their hands, taking down speeches which might be used at some subsequent trial. If for no other reason than the perjury of these men we are entitled to protest as strongly as we can against this Vote. In this country the police are employed for the purpose of promoting law and order, but, speaking from experience, I fearlessly assert I have never known a single occasion in Ireland on which a large Police Force has been present, when their presence did not imperil in the greatest possible manner the public peace. A short time ago I was announced to address a public meeting in Wexford. The meeting was to be at night, and the District Inspector came to me and said, "Mr. Redmond, I must have some policemen here. I am greatly afraid there will be a collision, the people are so excited. What do you think we ought to do to keep the public peace?" I was glad to be accosted in that spirit, and I replied, "If you will remove the police from the streets and confine them to barracks, I will guarantee there will be no breach of the peace." I added that he and another policeman might come to the platform and see and hear everything that went on. He acted on my suggestion; 4,000 people attended a night meeting, but there was not the slightest mishap of any kind. It was generally remarked that on other occasions, when the authorities insisted upon having the police present, the results were very different. Under these circumstances, we are entitled to demand that some change should be made. It will not do for the right hon. Gentleman, in a sneering and insolent way towards Members of this House, to impute, what he has not the courage to say openly, that we are in favour of disorder, that we are less

anxious than he is to see proper law, and real and true order properly respected. He knows it is the merest absurdity for him to say that 85 Members are so lost to every sense of right and justice that they deliberately pursue a line of conduct which they know to be wrong. We know that the right hon. Gentleman's view is not the view taken by the peoples of England and Scotland. We have confidence that when those peoples get the chance they will declare that the lawfully elected Representatives of Ireland sitting on these Benches are far more desirous to see law and order promoted in Ireland than the right hon. Gentleman, with his imprisonments, shadowing, boycotting, proclamations, and all that miserable machinery which has been tried so often, and failed so often, and which no Government, even a much stronger Government than the present, would attempt to put in force, for a single week, against the people of England or Scotland.

(9.50.) MR. J. O'CONNOR (Tipperary, S.): I cannot congratulate the other side of the House on the interest they seem to take in this matter. I suppose they consider that the short and smart speech of the Chief Secretary meets the case. I see the Attorney General for Ireland quietly taking a nap, and the Under Secretary of the Lord Lieutenant in an attitude that is anything but one of interest in the discussion that is going on. The Chief Secretary thinks that when he comes here and gives utterance to an official falsehood, supplied to him from Dublin Castle or by some of the implicated parties, the case is met. We will be satisfied with nothing of the kind. I notice that the right hon. Gentleman affects to despise certain right hon. Gentlemen on this side of the House, but, at the same time, he offers them the sincerest form of flattery by saying in reply to the accusations that are made against him, "You have done likewise, and I am following your example." The only example he can find is that which he finds in the columns of the *Belfast Morning News*. The right hon. Gentleman says that the prisoners released in 1881 and 1882 were warned to be of good behaviour. I am one of those who at that time, in the language of the Chief Secretary, was "let loose upon the land." I was not warned, and I never met one of the thousands of my fellow-prisoners who was, nor have I ever met a suspect who was shadowed after the manner in which my constituents are being shadowed now. As the right hon. Gentleman says, what we want an explanation of is the illegalities of the Government and the police. These illegalities the right hon. Gentleman (Mr. A. J. Balfour) calls the elementary duties of the police. I shall have to trouble the Committee with the narration of a few of these illegalities—a few of these elementary duties of the police. The first case I shall refer to is that of Father Kennedy. That rev. gentleman has been persecuted for years. He has been imprisoned more than once, and he is also, I will admit, actively engaged in all the movements of a political character that interest his congregation and parishioners. Was it the elementary duty of the police to go to the house of Father Kennedy, and insist upon entering it, on the ground, as the policeman stated, that there was a National League meeting being held there? Father Kennedy said to the police: "You have no grounds whatever for presuming any such thing, and you have no right to invade my private grounds in this way." The sergeant said insolently to the priest: "I will force my way into your very bedroom." The priest having advised the people to go home, they dispersed, and afterwards, when the case was being tried in a superior Court in Dublin a few days ago, the Judge emphatically denied that the police had any inquisitorial rights under the Act of Parliament. The Crown Prosecutor (Mr. Murphy) suggested that the police had inquired of Father Kennedy the character of the meeting, and had been refused the information. And what was the language used by the Judge? "And quite right," retorted the Chief Baron. "He had no authority to ask such a question, and, under the same circumstances, I would refuse to answer it myself." That language of the Chief Baron directly contradicts the statement officially made from the Treasury Bench in reply to the statements made from this side of the House. We are told, whenever we complain that our constituents are being

badly treated, that we have a remedy in a Court of Law. Father Kennedy got a verdict with damages to the extent of £105 and costs. What is the result? That yesterday, or the day before, a notice of appeal was given against the decision of the Chief Baron. It is an insult, therefore, to the intelligence of the people to make these statements day after day. Take another case of a similar character in Cashel, about which I asked the Chief Secretary a question. There a man was assaulted by the police, and he had the temerity to bring his assailant into the Court. The man, O'Brien, who was assaulted, was a retired soldier, belonging to the first-class Army Reserve. The Chief Secretary, in one of his replies, said that was no guarantee of character. At the same time, I trust that Her Majesty's soldiers know how to conduct themselves, and that the discipline which they undergo in the Army is calculated to make them good citizens. A blackthorn stick was broken over O'Brien's head and arm. He swore to the facts of the case, and the constable, Martin Kelly, was asked questions. Well, the Chief Secretary denied that this man was assaulted, although it had actually been sworn by the Inspector who ordered the charge that four men were standing at the corner and assaulted in the manner described; that they were not doing anything to break the peace, but they were standing there, and it was thought they might possibly do something. This evidence having been adduced by the Inspector, the Magistrate who had been in charge of the police who bâtoned the people at the suppressed meeting in Cashel dismissed the case against O'Brien, and this was all the satisfaction the unfortunate man got for accepting the invitation of the Chief Secretary to avail himself of the Courts of Law in Ireland. I shall now refer to the system of "shadowing," which I unhesitatingly say has been adopted to provoke a breach of the peace. In the town of Tipperary the evicted people left their homes in peace, abandoning the property they had created in their holdings to the landlord, and they had taken possession in peace of the homes that they had built for themselves. These homes had been built by an active section of the people of Tipperary. Father Humphreys, Mr. John Kinnane, Mr. Gill, and Mr. O'Brien Dalton, are the men who have been, beyond all others, engaged in constructing these homes. These are the men who have kept the people within the bounds of peace and order, and these are the men who have been selected by the Government for this species of persecution. An account of this system of boycotting by an independent journalist from Cork, shows that prominent men are surrounded by the police, and watched from an early hour in the morning until some hours after dark; or if one stops to exchange a handshake or word with another, the policeman, in the most offensive and provoking manner, orders them to move on.

"And if any party," the correspondent says, "attempts to remonstrate with the policeman, he is ordered away, or rudely pushed into the street, the same as if he were a corner boy of the most dangerous character. Every stranger is watched, no matter what his political character, and is pursued and annoyed."

I now come to the case of Carew, about which I asked the Chief Secretary a question the other night. Carew is a man who keeps a public house and a grocer's shop in the town of Tipperary. A short time ago I asked a gentleman whether two policemen had not followed my friend, and was told that when the policeman drove him from the shop they actually went upstairs after Mr. Carew. The Chief Secretary said the police did not follow him upstairs, and did not force their way into the private apartments of the publican, but remained only on the licensed part of the premises. I wonder where the Chief Secretary gets his information? Does he get it from the Castle; if he does, the Castle supplies very false information. Mr. Carew, the plaintiff in this case, was sworn and examined, and he stated that both constables were in uniform, and he noticed that one of them had a revolver. He asked them whether they had a warrant for entering his place. They said they had not. He asked them if they had any documents entitling them to enter and they made a similar reply. They also said that it was for nothing connected with his licence that they had gone there. Then Constable Gully was sworn and cross-examined by Mr. Truen, in reply to whom he said he had never

stated that he did not go beyond the shop. Mr. Truen said such a statement was made in the House of Commons by the Chief Secretary, and the witness replied that he did not see that statement. I want to know whether the Chief Secretary still adheres to his original assertion that those constables did not go upstairs or beyond the licensed premises. The Chief Secretary blames us for bringing forward these matters, and asks us to be satisfied with his statements, but, in the face of these inaccuracies, with the fact that he denies the sworn statements of the witnesses, how can he expect us to accept his assertions? I have asked the Chief Secretary questions about the interference of the police with individuals patrolling the streets, which they have as much right to do as the Chief Secretary himself, and I have received nothing but the most unsatisfactory replies. There was the case of Mr. David Helan, a Town Commissioner, and a highly respected Tipperary merchant, who was fined for having his goods projecting 17 inches beyond his shop front, although the District Inspector had told him that there was no obstruction, and another person had stated that an arrangement had been come to by which goods might project 18 inches into the streets. This case was nothing but an act of unprovoked interference with the people's rights, and which, under certain circumstances, might have led to a breach of the peace. Then there was the case of Patrick Burke, of William O'Brien Street, Tipperary, who was prevented by a "shadowing" policeman from going to mass, and who later on, when going along the main street, was threatened by a policeman with arrest, and had to return home. Subsequently, on the 17th May, the policeman threatened to put him out of a shop in the main street, and threw him on the top of his head. The man was pointed out to the District Inspector, on the 26th May, and his name asked, with a view to his being summoned, whereupon the District Inspector, whose name was Gamble, replied, "What do you want his name for? I will break your head, you scamp." "Summon that man" said the District Inspector to Police Constable Jennings, and the man was summoned and imprisoned for two months for asking the name of the policeman He was summoned on the 20th inst. for being drunk on the 6th inst., although he was a temperance man, and had not taken drink either on that day or for 11 months previously. Then there was the case of Nicholas Delaney, a Street Inspector employed by the Tipperary Town Commissioners. He was removed off the flags on to the main street by Sub-Constable Erle. When Delaney remonstrated, and stated who he was, the policeman said, "I don't care a damn what you are." Shortly after this Constable Erle came up to Delaney and said, "I told you before to leave the flags," and Delaney left the flags and went into the roadway. Some hours later an Acting Sergeant removed Delaney off the main street, and refused to tell Delaney his name, so that Delaney was unable to prosecute him. Delaney was soon afterwards liberated without being brought before the Magistrates or subsequently summoned. There are two points connected with this case on which I think we are entitled to an explanation from the Government. This man, being employed by the Town Commissioners, had as good a right to be about the streets as the policeman who turned him off, and if arrested why was he not charged, assuming he had committed an offence? If he had committed no offence why was he arrested? And, having been arrested, why was the name of the policeman refused when asked for? But this sort of thing is a common occurrence in Tipperary. I have given you enough instances to justify our coming to the conclusion that the District and County Inspectors have given their subordinates instructions to refuse the names of policemen, and break the law and commit the illegalities of which the right hon. Member for Mid Lothian has complained as being part of the elementary duties of Irish police constables. There was another case, namely, that of Bridget Callan, who was standing at her own door when a policeman, named Hobson, inquired what she was doing. She asked his authority for entering her house; he roughly demanded whether she meant to obstruct him in the discharge of his duty. This

I would point out is a very common phrase. A policeman asks if you mean to obstruct him, thereby provoking you into a quarrel which leads to your arrest and punishment before the Resident Magistrate. This man struck the woman across the neck, forcibly driving her head against the latch of the door. He then entered and searched her house, but without finding any one there. Her voice was husky and her throat sore some weeks after the assault. These are a few instances of what occurs in the town of Tipperary. I have numbers of others with which I will not trouble the Committee. I have myself observed the harsh and violent treatment of the people by the police on various occasions. An instance occurred on the day the meeting was addressed at Cork. My hon. Friends the Members for North East Mayo and North East Cork were away in a distant part of the country holding a meeting which the Government had intended to suppress. I was in the town of Cashel, where there were a great many people and a great many policemen. While waiting there I thought I should like to have a look at the historical ruins of the Rock of Cashel. I went there, accompanied by an old man belonging to the place, and he described to me those historical remains. When we came down into the town this old man, who was a respectable tradesman of the place, was walking a few feet behind me when a policeman came up, and, without the slightest provocation or a word being uttered, struck the unfortunate man a blow under the chin, causing blood to flow from his mouth, and from the cut on the lower part of his face. I was so disgusted that I turned round upon the policeman, and asked him why he had committed that assault. I took hold of the policeman and walked up to a District Inspector, named Fruen, and said, "You see that old man, he has been in my company to the Rock of Cashel, and coming back he has been assaulted by this policeman without the slightest provocation." What did Mr. Fruen say? He said, "I can't help that." I said, "Will you restrain that man?" "I will not," he said, "and if you don't leave the place you will get just as bad as he." Well, Sir, I left the place and took the old man away with me. I saw by this incident, and many others during the day in Cashel, that the police were in a brutal state of excitement, and that the Magistrates in charge of them were little better. The more violent the police were, and the more wounds they inflicted on the people the more applause did they receive from their superiors, from whom there was no chance of getting any redress. Now, Sir, this is the state of things at present in Tipperary; but it is not alone in Tipperary that these things occur. I noticed that day in Cashel, and have noticed on other occasions elsewhere, that the police seemed to be utterly demoralised and to have abandoned all discipline. They are very often drunk, and the man who assaulted my guide was in that state. Occasionally we have it on the testimony of the police themselves, who are sometimes obliged to admit that they are not the best of characters. Last year a policeman, who had fired a shot, was put in the box as a witness, and he admitted that he had got into trouble for drunkenness, and had been fined for breach of discipline. He stated that when he fired there were 50 people flinging stones at him and his companions. It often happens in Ireland that when the police have nothing else to do, they get up a conspiracy against people whom they want to get out of the way, and we have recently had a strong case of this kind at Portumna, when five Nationalists were charged with riotous conduct, the police declaring that they had been waylaid and stoned by the defendants, whereas it turned out that the whole story was concocted by the police, who were themselves the worse for drink, one of them admitting that he had been fined for discharging his revolver, when drunk, on the public road. The charge against these men was dismissed, but why is it that the policemen and the emergency men engaged in that affair have not been prosecuted by the Government for perjury? The fact is that the whole machinery of the law is strained for the protection of those who thus abuse the people. The Chief Secretary may think he has done a good day's work when he has disposed of questions put from this side of the House, and made a smart speech in reply to the

accusations against the Government, but there is a Court af Appeal before whom we put our case, and that Court of Appeal has given its verdict, which is one of condemnation of the Chief Secretary and his Government in Ireland—a verdict which gives hope to the Irish people that not only the Chief Secretary and his Government, but the present police system of Ireland will be speedily at an end.

(10.38.) COLONEL SAUNDERSON (Armagh, N.): The Committee ought to be assured by someone on this side of the House that there is a large portion of the Irish people who do not agree in the condemnation which is bestowed by Members opposite on the police of Ireland. The Opposition at the commencement of this Debate have apparently, in the exercise of their undoubted right, felt it their duty to offer very little to strike against. They have put up two English Members who seem to know very little about Ireland, whose intervention in this Debate has been of an exceedingly watery description. Those two Englishmen grounded their objections on the difference which exists between the expense involved in the maintenance of the Irish Constabulary and that which is involved in the maintenance of the English police. We were told by one of those hon. Members that the expense of the Irish police per head of the population is three times as great in Ireland as it is in the Metropolis. I could explain the abnormal difference if three-quarters of the Metropolitan Members of Parliament devoted their time and their abilities to inciting the criminal populace of London to break the law, and if they were assisted in that amiable operation by wandering Radicals from various parts of the country, and, furthermore, if they were assisted by right hon. Gentlemen who sit on the Front Opposition Bench, who have occupied a distinguished and prominent position in public affairs, in hounding on the population to resist, and, if possible, overturn the law, I venture to say the Police Rates in the Metropolis would very soon be largely augmented. If, for instance, the right hon. Gentleman the Member for Mid Lothian made a speech in London, and said, as he said about Ireland not so very long ago, that the people ought not to obey a Government which was a Government of unequal laws, then we should have every reason to believe that crime and outrage and lawlessness would largely increase in the Metropolis. We do not find that English and Scotch Members advocate a policy of that kind on this side of the Channel, but whether it is the effect of the Irish air or not, this we know to our cost, that when hon. Members opposite visit Ireland, their great object is to fan and keep alive the flame of disorder and lawlessness. When the right hon. Gentleman the Member for Mid Lothian rose I looked forward with very great interest to his speech, for I thought that during the course of that speech he would define the policy of his Party, which had deliberately adopted opposition to the law in Ireland as the very foundation stone of the policy they now rest upon. But the right hon. Gentleman devoted his speech to a florid and somewhat violent attack upon my right hon. Friend the Chief Secretary for Ireland, and challenged him to produce a quotation which the right hon. Gentleman had made from a newspaper extract. When the Chief Secretary for Ireland read an extract from a report, I suppose it was from *Hansard*, the speech of the right hon. Gentleman the Member for Mid Lothian came to a sudden and almost comical end. At any rate, there was a very short peroration. But what I want to hear from right hon. Gentlemen opposite is this, how can they now, in the year 1890, defend in the House of Commons, and before the country, boycotting and intimidation, which, four years and a-half ago, they were foremost to condemn? I listened to the speech of the right hon. Gentleman the Member for the Bridgeton Division in the hope that he would give us some reasons for his remarkable conversion. I thought he would have told us how it comes about that at the present moment he is advocating and supporting a policy which for so long he so manfully resisted. But not a word. We have not had a single word from any hon. Member opposite to account for the fact that the great Liberal Party, to which they profess to belong, now support the policy of boycotting and intimidation. The Committee must remember that

we are discussing a far wider and a far deeper question than any petty details of police administration. We are discussing the great question whether the House of Commons, and whether the country, will finally adopt or discard criminal intimidation in Ireland, whether an Irishman, no matter how low his position may be, shall enjoy the same freedom as every Englishman and every Scotchman enjoys. I am very glad that hon. Gentlemen opposite agree with me on that. I am aware that the police in Ireland are at loggerheads, not with the Irish people, but a section of the Irish people. Unfortunately, in every civilised country the Executive and the police are always at loggerheads with a certain section of the population. It is so in London; but it is always with the criminal section of the population, and it is exactly that section of the population in Ireland with whom they find themselves at loggerheads. What is the meaning of the attack that has been made upon the Administration in Ireland? It is twofold. First, the Administration are attacked with interfering with the rights of public meeting, and interfering with the right of the subject in the shape of shadowing. Shadowing is a very disagreeable necessity. But if the League shadow a tenant it is the duty of the Executive to shadow the shadower. There is a very great difference between shadowing a Nationalist Member, or one of the Radicals who have gone over to Ireland, and shadowing an Irish tenant. Shadowing an Irish or an English Member, leaves them, what we see them to be on these Benches, very fair specimens of well-fed humanity, but shadowing an Irish tenant, following him into the fair, means his ruin. He does not come and present himself at this House in a well-fed condition, but he calls on us to tell the House of Commons and the country the condition in which the tyranny of the Land League has left him. I say the Government of the country, to whatever Party it belongs, would be unworthy of the name of Government if it did not exert every effort that it can command to stamp out and destroy the most cowardly, most odious, and most detestable tyranny that has ever been exercised in any country. It is said that the Government have interfered with right of meeting. I venture to say if the hon. Member for West Belfast were to go to Belfast to-morrow he might address, as he would with great eloquence, an audience there, depicting the Government in the most odious terms, and might hold them up to public reprobation, and he would not be shadowed in Belfast. Why? Because the necessity for shadowing in Ulster does not exist, and it does not exist because the people there will not allow it to exist. But in Tipperary it is another thing. In Tipperary a meeting was held, not for the purpose of allowing hon. Members to address their constituents, but for the deliberate purpose of furthering the policy of intimidation. We all heard how the right hon. Member for Wolverhampton said, in eloquent terms, that it was a monstrous interference with the inalienable right of Members of Parliament to interfere with the recent meeting at Tipperary, which was got up for the purpose of enabling the Member for South Tipperary to address his constituents. That meeting, of which we have heard so much, and for interfering with which the Government have been so much condemned, was not a meeting got up to enable the hon. Member to address his constituents. It was got up for a very different purpose, to which I will allude.

THE CHAIRMAN: Order, order! I do not quite see how this comes in the Debate on the Police Vote. It will come in the Debate on the Chief Secretary's salary. The question now is in regard to the actions of the police.

COLONEL SAUNDERSON: Of course, Sir, I bow to your ruling at once. As the hon. Member for South Tipperary alluded to the events at Tipperary, I thought I was justified in doing so. Now, in reference to the action of the police at Tipperary, what I wish to point out is that the police in shadowing hon. Gentlemen who visited that town, were, in my opinion, fulfilling the duty the police of any country ought to perform. The shadowing of hon. Members opposite, and other persons in Ireland, is one of the chief grievances levelled by hon. Gentlemen opposite against the Government. The hon. Member for East Mayo was shadowed——

MR. DILLON: I never was shadowed in the whole course of my life.

COLONEL SAUNDERSON: Well, the hon. Member ought to have been. The hon. Member pourtrayed the action of the police at Tipperary, and described it as a monstrous perversion of justice, or words to that effect. The hon. Member went to Tipperary for a set purpose. The meeting was got up to meet the hon. Member who had been round the world with the Home Rule hat, and the Government prevented the hon. Member from making a speech at Tipperary. But great fault has been found with the police, and I suppose we shall hear a great deal about it in the House. I venture to say that the action of the police in Tipperary in preventing the hon. Member making a speech has been amply justified by the hon. Member himself. The action of the police was to prevent intimidation, to prevent the hon. Member, or any other man, from intimidating the Irish people, and forcing them to obey the law of the League instead of the law of the land. It was against such action that the police had been, and, I hope, will be, set in force. The hon. Member has never been ashamed to acknowledge that boycotting is a justifiable course of action. The contention of the Government, backed up by the law, is that, by law, boycotting is a crime. The hon. Member appears to have added a new commandment to the decalogue, "Thou shalt not interfere with intimidation."

MR. DILLON: The hon. Member is making a serious and pointed charge against me. I have always advocated boycotting as an unfortunate necessity in Ireland, and I shall continue to do so. But I have never advocated intimidation, and I defy the hon. and gallant Gentleman to qnote any passage from any speech of mine in which I have advocated intimidation.

COLONEL SAUNDERSON: The hon. Member has challenged me to quote, and I will do so. The hon. Member said on a well-known occasion——

> "If any man back down, whatever the Government may say, I will denounce him from public platforms by name, and his life will not be a happy one in Ireland or beyond the sea."

I do not know if hon. Members know what making a man's life unhappy means in Ireland. Intimidation, I think, a very weak phrase to describe it. But knowing this, and remembering the warning, the Government were justified in setting the Constabulary in action to prevent the delivery of a speech in Tipperary which, undoubtedly, would have had the very same import as the speech I have cited. I am justified in saying that by the hon. Member himself, for that very night, though prevented from addressing a public meeting, the hon. Member used words which show the frame of mind in which he returned from the other side of the world.

MR. DILLON: Where?

COLONEL SAUNDERSON: On the night of Saturday, May 25, 1890——

MR. DILLON: Where was it delivered?

COLONEL SAUNDERSON: It was delivered at Tipperary, not at a public meeting, but at a banquet, where sometimes it is said people speak with more freedom and truth. In speaking that same night at a banquet the hon. Member said that those who had been turned off their farms would, in a short time, retake possession of them, and their names would be honoured from generation to generation, while those of the cowardly dastards he denounced would be dishonoured and their children would be pointed to as the children of traitors. It is said that such language is not intimidation; but it amply justifies the action of the Government in setting the constabulary in action in Tipperary and preventing the hon. Member from openly intimidating people as he did at the banquet. The tenants in Tipperary have no more choice in the line they have taken than Nationalist constituencies have in the choice of their Members. What the Committee have to decide is whether intimidation is to continue in Ireland, whether the Government are or are not to employ every means at their disposal to put down attempts to intimidate the Irish people and deprive them of liberty. For such action the Executive are condemned, because they are interfering with the unquestionable right hon. Members opposite think

they possess of intimidating the Irish people by every means in their power for the purpose of building upon that intimidation a political fabric in which the Nationalists shall be masters. The House and the law have decided that intimidation and boycotting are crimes, and before the House condemns the Government it must revoke a number of laws and reverse the proceedings of the last few years, and especially those of the time when the right hon. Member for Mid Lothian was Prime Minister. The policy of the Opposition is based on intimidation; they depend on the League; the League depends on intimidation; therefore, the policy of the Opposition is "Down with the law and up with intimidation," and the policy of the Government is "Down with intimidation and up with the law." I can scarcely realise—it sometimes seems to me an evil dream that any responsible Party in the State should consent to adopt such an un-British, an un-English policy, the policy of the dastard—that men who are safe themselves should hound on the Irish people to resist and disobey the law, and then leave them in the lurch and come over to the House of Commons. [*Cries of* "No, no!"]

MR. DILLON: I rise to order, Sir. I put it to you whether it is conducive to order in Debate in this House, that the hon. and gallant Member should make grossly offensive charges—charges that are false and baseless. I have never hounded on the Irish people to any action I would not take myself.

COLONEL SAUNDERSON: The war between us is war to the death.

THE CHAIRMAN: Discussion must be carried on within the usual limits of the Rules of Debate, and the language of the hon. and gallant Member has rather exceeded that scope.

COLONEL SAUNDERSON: I regret, Sir, if my warmth has betrayed me beyond the Rules of Debate. It is not easy for hon. Members who do not understand the condition of affairs in Ireland, and who do not know what boycotting means, to realise the misery that has been brought about by the action of the League, but it makes my blood boil to think that these things should be supported by a great Party in the State. I cannot believe that it will ultimately be the policy of that Party in the country. I regret that so many of my compatriots have adopted it. It would be to me a great satisfaction if some of the most eloquent of Ireland's sons would forget this policy, which must end in nothing, and join with me, as I am ready to join with any man, in promoting the good of my country. But this policy is one that every loyal Briton, every loyal Irishman ought to resist to the end. I shall resist to the utmost of my power the prospect held before us of a League Parliament, a League Government, League Judges, League Juries, and League Police.

*(11.10.) MR. HERBERT GLADSTONE (Leeds, W.): A good many hon. Members, even the hon. and gallant Member himself must be wondering what is the practical value in the interests of the peace and prosperity of Ireland of such a speech as that to which we have just listened. Whenever the hon. and gallant Member speaks, whether within or without this House, he seems to be seeking to irritate and to exasperate his political opponents. Across the floor of the House to-night he has flung epithets of contumely; he has used the word "dastard;" but the hon. and gallant Member speaks in the safe precincts of the House, where he is protected by the Chief Secretary, and in Ireland under the protection of the Chief Secretary's policemen. I leave it, therefore, to hon. Members to say where, in such circumstances, the word "dastard" is best applied. The hon. and gallant Gentleman commented on the ignorance which he said two hon. Members who represent English constituencies on this side, who have spoken in the Debate to-night, had shown of Irish affairs; but it may be well to remind the hon. and gallant Gentleman that there is a Party

in this House and a Party in the country not always impressed with the views and the knowledge of the hon. and gallant Gentleman when he speaks on Irish affairs. The hon. and gallant Gentleman said that in the Debate to-night no attempt had been made to show that the police in Ireland had exceeded the boundary of law. He frequently used the term "criminal intimidation," and it is the practice of hon. Members on the other side of the House to use that phrase as though it applied to one party only. In a few words I desire to comment on one episode that has taken place in Ireland, and to this I invite the attention of the Committee and the Chief Secretary, whom I am glad to see opposite. My hon. Friend the Member for the Rushcliffe Division referred to the Charleville shooting affray, but passed from it as a case *sub judice*. In that he was under a misapprehension. The matter has been made the subject of two actions, and the jury, having disagreed in each case, the whole thing has, I understand, been allowed to drop. The case is, therefore, no longer *sub judice*. Justice has not been done, and we are entitled to bring the case before the House of Commons and ask justice from the Chief Secretary in regard to it. The incidents at Charleville are among the most extraordinary that have taken place in Ireland during the last few years, and I hold the Chief Secretary responsible for everything that took place on that occasion. Personally, I have never denounced the Royal Irish Constabulary, who have been induced by good pay and pensions to join the Force, the work of which they afterwards find to be anti-national, political, and extremely distasteful to them. I have always blamed the system which has produced these men, not the men individually, who have only been carrying out their orders. But, at the same time, it must be said that the constabulary of Ireland entered the Force of their own free will, and, therefore, they must be assumed to accept the responsibility of their position, and they must be held to that responsibility, for, being unlike the police in England, armed with deadly weapons, their capacity for mischief is so much greater. We have heard the Chief Secretary glorying in the system of shadowing; does he approve of revolver practice by the Constabulary upon an unarmed crowd? The circumstances that occurred in Charleville were these: The hon. Member for North-East Cork, having been arrested in Cork, was conveyed by a night train to Charleville. At the time that the train reached Charleville a small number of people, about 70 in all, were gathered upon the platform with a band, in order to greet the return of a deputation from Cork, they not knowing that the hon. Member was in the train. There were no police on the platform. The hon. Member was in a compartment with six policemen armed with rifles, and there were 12 other policemen in the train. When those assembled on the platform found that the hon. Member was in the train they began to cheer, and attempted to shake hands with him, but there was no idea of rescuing him. Natural excitement there was, and the wonder is that the people of Ireland can control themselves under such circumstances. There was some cheering, and hooting, and pushing, the head of the District Inspector was bruised, probably by a stick, and this was the only blow alleged to have been struck, and a window in the compartment was broken. Under these circumstances it was that the police deliberately fired three or four shots into the crowd with the deliberate intention, according, as the Attorney General knows, to their instructions, of killing or wounding. By some miracle very little damage was done by the shooting. The man Nolan who subsequently brought an action is alleged to have been wounded in the leg, and the nose of a railway porter was grazed by a bullet. But into these matters I need not enter; they do not affect my case. The fact that people escaped serious injury is no excuse for, or extenuation of the action of the police. Now, what is the alleged justification? There were seven witnesses for the defence, all policemen. There were eight

for the plaintiff, including three railway men. In the evidence at the trial it was admitted by the police there was no attempt at rescue, either organised or made. The question is, Were the police justified in thinking that an attack was about to be made upon them? Mr. Justice Murphy pointed out that panic or excitement among the police can be no legal justification for firing into a crowd. The police are expected to keep their heads cool. Here was a small and harmless crowd, and in the train was an armed body of 18 policemen. They could have held their carriage against a much larger number of persons than were on the platform. Mr. Justice Murphy remarked:—

"The people might have cheered Mr. O'Brien and groaned some one else; but there was really nothing in that circumstance. There was evidence that such words as 'We have him now and we won't let him go' were used by the crowd; but he did not think the jury should attach much importance to such words. They might be uttered by some boys on the outskirts of the crowd, or by people in the crowd; but such words should not affect the minds of men with firm minds who were in a carriage armed and prepared to do their duty, though the words might put the men on their guard."

Further, Chief Baron Palles said—

"That it was a fearful necessity this sudden disorder arising at that station in which it was said it was necessary for justification in point of law to shoot down any one. Four shots were fired. He did not know whether the defendants aimed at any one, but simply fired at the crowd. Now, on the evidence of the defendants themselves, was that necessary? It occurred to him that *primâ facie* the duty of the police should have been to aim at their opponents, such as the man who aimed the blow at District Inspector Concannon; but what they did was to fire into the crowd in the darkness of the night, a crowd of 50 or 100 persons, careless whom they killed."

Let the Committee remember that the other police were not agitated or alarmed. Those in the other compartment neves left it, showing that no rescue was feared. The only pretext for this cowardly, unprovoked, illegal action war the allegation that a shot was fired. The police declared on their side that a shot was fired from the crowd; but when challenged at the time by the hon. Member for North-East Cork to search the carriage for the bullet, they refused, because they knew nothing of the kind had happened. Further, is it likely that the sympathisers with the hon. Member would fire into the carriage in which he was seated? There is no reason to believe that a shot was fired. Well, we demand justice from the right hon. Gentleman. What is he going to do in this case? He is responsible for the police in Ireland. That police system I have long condemned, and not for the first time, when the right hon. Gentleman took office; and I say it is an atrocious thing to arm a civil force with revolvers and cutlasses, and rifles, not against criminals, but against the people in the case of political disturbances. Let the right hon. Gentleman remember what occurred when a proposal was made to arm the London Police against burglars. Why, the police themselves were unwilling to allow themselves to be armed. Why? They knew they might be provoked into the improper use of their arms, which would lead to investigation and perhaps punishment. In Ireland the motto with the Chief Secretary, as we all know, is that "the police can do no wrong," and it was because he adheres to this motto that this kind of thing is happening in Ireland. If he had kept them up to a full sense of their responsibility, these men would never have lost their heads; but the police are reckless, because they think that in the mind of the Chief Secretary there is the wish that they should do as they like against the Nationalists of Ireland. I ask again, what is the right hon. Gentleman going to do? The interest of the Force and the interest of the public demand inquiry. The episode is discreditable to the Constabulary. And if the Government refuses an inquiry, their conduct will be on a par with the blind and obstinate policy which in England is rapidly becoming as much despised and

hated as it is in Ireland, and the most conspicuous feature of which is its disastrous and miserable failure.

(11.27.) MR. W. O'BRIEN: I am rather supprised that it is necessary for me to rise. I should have thought a Representative of the Government might have answered the hon. Member. Up to the present the Government have evaded discussion of this matter upon the plea that legal proceedings were pending, but that excuse is now at an end. The juries have disagreed on a subsidiary technical point, whether the wound was caused by a bullet or a fall; but upon the main point, whether the police were or were not justified in firing, there was no difference whatever between the Judges and the juries. In both instances the Court held that the police fired in reckless panic. What defence has the right hon. Gentleman to offer, or what does he propose to do? On the day after the occurrence the Chief Secretary and the Attorney General, when questioned, I think by my hon. Friend the Member for Belfast (Mr. Sexton), made a distinct allegation that there was an organised attempt by an armed crowd to rescue me that night at Charleville, and that this was when the crowd was fired on. Does the Chief Secretary stick to that statement now? If he does not, all I can say is that he ought by this time to have humbly withdrawn it and to have apologised to the House for having made it. If he sticks to it, he is the only human being who does so. It is admitted on all hands that the people came there for a wholly different purpose, never dreaming of seeing me there. But, though it is now acknowledged that this is a ridiculous story, though the Judges and his own police witnesses have admitted it, neither of the right hon. Gentlemen has, up to this hour, in any manner apologised to the House and the country for his misleading statements. I will not attempt to give the facts of the case as my own version. I find that I have simply to take the facts as they are stated in the charges of the two Judges who tried the case. They were two of the most eminent Judges on the Irish Bench, and, certainly, partiality to us or partiality to the police are the very last things anybody would accuse them of. Mr. Justice Murphy presided at the first trial. He said it appeared from the evidence that a small crowd of persons went from the town of Charleville to the railway station to meet the deputation from Cork, and there was

> "No evidence that they expected Mr. O'Brien in the train, so that there could have been no attempt beforehand at organising a rescue."

There was, he said—

> "No evidence that the people had any arms with them or used violence. They might have cheered Mr. O'Brien and groaned at somebody else,"

but there was nothing in that circumstance, or in any words they said, that should have had any effect on firm minds. He added that such a thing as a rescue by an armed force he had never heard of in the country. It was clear, said his Lordship,

> "That, on the instant of the firing, Mr. O'Brien insisted that all the firing was from the police themselves, and that there was no firing from outside."

Through his whole charge the Judge intimated in the plainest manner, and without the slightest disguise, his own opinion that the story of an attempted rescue was a perfectly ridiculous one and that the story of a shot having being fired from outside is a story which the police themselves did not venture to insist on when they were taxed with it by myself on the spot. It was impossible to hear Judge Murphy's charge without feeling that he himself believed there was not a shadow of justification,

either in the way of attack by the people or of danger to the policemen's lives, for the reckless discharge of firearms into the midst of an unarmed crowd. Yet that is the state of things confessed by the Judge's charge, and yet the jury were allowed to ride off on the false issue of whether the wound was caused by a spike or a bullet. On that point alone legal remedies have failed, and there has been a disagreement of the jury. The Government, taking advantage of that miserable little technicality, will institute no inquiry, and will administer no rebuke to the police in the face of the Judge's plain declaration of their recklessness and their panic. The case came on for trial a second time before the Lord Chief Baron, and again, in the plainest way, the Judge intimated his opinion that the conduct of the police was reckless, indefensible, and criminal. He said he thought that the jury might come to the conclusion that the crowd which went to the station to welcome their townsman back from Cork was in its initiation a perfectly lawful assembly. If, he added, there was an attempt to rescue Mr. O'Brien, it must have been a very sudden affair, and must have been arranged in the space of three minutes.

"Looking broadly at the matter," he said, "Having regard to the suddenness of the whole affair, the plainly innocent purpose with which the people went to the station, it is for the jury, as men of the world, to say whether they are prepared to hold that the assembly was a riotous assembly, bearing in mind that the acts were the acts of individuals, and that there was no common purpose for rescuing Mr. O'Brien or attacking the police."

From beginning to end of the charge the Judge showed he took the very same view as Mr. Justice Murphy as to the recklessness with which the police acted that night. In each case 10 of the jurors were for finding a verdict for the plaintiff. Two of them in each case could not satisfy themselves that it was a bullet wound, and not a wound caused by a spike, and upon that miserable little side-issue District Inspector Concannon has ridden off. I say it is monstrous in a case of this sort for the Chief Secretary to refer people to civil relief. The proper legal remedy would be for District Inspector Concannon to be placed on his trial for a most wanton and murderous outrage. I want to know from the Government whether they are going to let the matter rest here. In the face of the Judge's Charge, is the District Inspector's action to be allowed to face without investigation or the slightest judicial censure? At least £500 expenses must have been incurred by the police in fighting these cases in the Law Courts. Are the Government going to pass those expenses? Are they, in defiance of the Judges' Charge, not only going to shield Mr. Concannon from justice, but actually to reward him by paying his expenses out of the pockets of the British taxpayer? If they are, I venture to say that a more scandalous misappropriation of public money was never made, and I hope it will be resented and resisted by every means in our power. We want to know from the Government whether anything will be done to bring the perpetrators of this night's work to justice? There ought to be no beating about the bush in the matter. If the Government approve of District Inspector Concannon's conduct, let them say so and take the responsibility of backing him up. On the other hand, if they do not approve of it, let us have an apology for the utterly baseless excuses on which their conduct was championed before. We are entitled to demand an explicit, unambiguous answer to that question, whether or not District Inspector Concannon's expenses are to be paid out of the public purse? If they are, I venture to say that the Government are just as guilty as the District Inspector; and if they will give us no legal remedy now, please God some day

or other we shall get, at a General Election, the only legal remedy open to the Irish people under the circumstances. And now as to the general question that we have been discussing to-night. The Chief Secretary spoke on almost all subjects connected with the Royal Irish Constabulary except the three topics of expensiveness, inefficiency, and brutality. The Chief Secretary finds it easier to indulge once more to-night in his habit of launching vague general accusations against the people of Tipperary. He can slander Tipperary. He has failed to conquer it. I daresay the object of all his proclamations and of all this shadowing in Tipperary has been to break down the combination of the Smith-Barry tenants. Well, Sir, I venture to say that speeches like his to-night are very awkward speeches for his own purpose, for the moral of all his complaints about Tipperary is the utter futility of all this police tyranny. The effect of all that has been done for nearly 12 months in that small town is, that the combination of Smith-Barry's tenants holds the field more victoriously than ever, and the right hon. Gentleman, with all his police force in that town, has to acknowledge himself perfectly helpless and baffled in face of that combination. There have been 12 months now of a conflict of that sort, with all the intolerable little petty tyranny that these policemen have exercised on every man who has been on the Nationalist side, and the police have failed to detach a single tenant from the Smith-Barry combination, and have only succeeded in detaching constituency after constituency from the Tory Party in the United Kingdom. So once more the Chief Secretary has illustrated to-night the utter hopelessness of his attempts to make true the boasts that he published through England a year or a year and a half ago, that all was halcyon peace in Ireland. Once more, practically speaking, he has confessed his utter hopelessness and helplessness in the face of the spirit of the people of Tipperary. Take an instance as a proof of how utterly worthless and ineffectual is this Police Force, which costs you nearly £1,500,000 a year —take the case admitted by the Attorney General himself last Friday—the case of a boycotted woman in Tipperary who was attacked, we are told, and her house wrecked by the mob, and nobody made amenable. As far as the attack and wrecking are concerned, I do not believe a word of it. I am not imputing anything to the Attorney General personally, but to his informants. But, suppose it is true, where was Colonel Caddell and the 137 policemen who had been massed in the town for the last nine months? I take it for granted that Colonel Caddell and his 137 policemen were too busy shadowing Father Humphreys, who is a stamp of criminal that the Chief Secretary alone is responsible for; but they did not succeed in doing that much effectually—for what is the fact? Why, yesterday week, right under the noses of these policemen, Father Humphreys presided at the branch of the National League which you solemnly declared to be suppressed nearly 12 months ago, and which you assured the English people was a thing of the past; and at that League meeting, held under their noses, the only three adherents of Smith-Barry left in the town of Tipperary came forward and made their peace with the National League, and petitioned to be allowed to join the combination of tenants, and were accordingly allowed to do so. That is how you are succeeding in Tipperary. Let me give another instance of the utter helplessness of the police in reference to the work of detecting real crime as compared with crime which we glory in, and which three-fourths of our race glory in. Take another case, admitted the other day in this House. The Attorney General told my hon. Friend

the Member for East Clare that during the last six months there were 66 agrarian outrages in the County of Clare, which Colonel Turner boasted nearly 12 months ago had been reduced to a state of halcyon peace and contentment by coercion—66 agrarian outrages in a county which is mulcted to the extent of £5,000 a year for extra police, and the Attorney General told us not one single person had been made amenable. The fact of it is, these policemen are fit for nothing in the world except whatever they can do with their rifles and bayonets. The whole system is one of the most atrocious in the world. Take their system of promotion. Let me mention one instance. There are at this moment 11 cases in which verdicts for wilful murder stand recorded against the police in Ireland, and in not a single one of these instances has one of these policemen been brought to justice. But that is not the worst, because some of these men, some of these murderers, have been actually promoted. I will give chapter and verse. Constable Swindell was, by a Coroner's jury, found guilty of the wilful murder of a man named Aherne, in Middleton. Of course, he was shielded from justice by the Crown, and prevented from being brought to trial. But that is not the worst. A couple of months afterwards, the man absolutely received what is called "a favourable record" in the General Orders of the constabulary. He received a favourable record, which is the invariable preliminary to promotion, and it was expressly stated to be for distinguished conduct in retaining a prisoner under difficult circumstances. The distinguished conduct was running a bayonet through the body of an unarmed man and killing him, and for that distinguished conduct, which a Coroner's jury called murder, Constable Swindell received the public thanks of the Inspector General, and is now on the high road to promotion. Every young constable in the Force is taught that if he wants promotion he had better imitate Constable Swindell. The fact of it is, that you proceed upon the principle—and that is at the bottom of the whole failure of your system in Ireland—of treating the Irish people as inferiors and as enemies; and the result is, you have the most utterly inefficient and utterly brutal Police Force in the world. No decent man, woman, or child in the community will touch a policeman with a 40 foot pole, and to break heads and give perjured evidence against Members of Parliament is all they are fit for, except that we are conscious that their action is opening the eyes of the English people to their character. Latterly we are inundated with instances of crying wrong and violence inflicted by the police upon the people. There is scarcely a parish in Ireland which does not furnish you with instances. Our only difficulty is to choose between dozens and dozens of cases which crowd in upon us from every part of the country. The Member for Leeds has just brought forward one case, and it is only one out of hundreds in every part of the country—one case which has elicited the condemnation of two Judges. When the conduct of the Police who, in the most horrible circumstances fired three or four shots into an unarmed homestead at night, is brought to your notice, we are not even favoured with a reply to the charge. I can only tell you there are hundreds and thousands of the best men in the Royal Irish Constabulary who feel just as keenly as we do the demoralisation you have been introducing into the Force, and the encouragement you have been giving to the bad and reckless elements amongst them. I verily believe that Englishmen, sooner or later, will be horrified at the inner working of this Force in the matter of promotion, and in the matter of utter demoralisation, and I believe that if there was no other argument for overturning the whole of the Dublin Castle system of government root and branch, you would have a conclusive one in the exclusiveness, utter inefficiency, and utter anti-national character of the enormous Force you preserve in Ireland for the purpose of domineering over the Irish people and repressing their just aspirations.

(12.0.) Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Shaw Lefevre,*)—put, and agreed to.

Committee report Progress; to sit again to-morrow.

COURT OF CHANCERY OF LANCASTER BILL [LORDS]—(No. 363.)

Bill read a second time, and committed for Thursday.

REMOVAL TERMS (SCOTLAND) ACT (1886) AMENDMENT BILL—(No. 342.)

Bill read a second time, and committed for to-morrow.

BRITISH AND FOREIGN SPIRITS.

[ADJOURNED DEBATE.]

Order read for resuming Adjourned Debate on Amendment to Motion for appointment of Select Committee [23rd June.]

(12.4.) THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I beg to move that the Order for this Motion be discharged. I have put it down in an amended form.

Motion made, and Question proposed, "That the Order be discharged."—(*Mr. Jackson.*)

MR. T. M. HEALY (Longford, N.): I am very glad the Government have acceded to our views on this matter, and that they have also acceded to the suggestion of the hon. Member for Tyrone (Mr. T. W. Russell) in regard to the question of the consumption of ether as an intoxicant. I would suggest that now the Pharmacy Bill has gone to the House of Lords the Government should take some means for the protection of the Revenue by insisting that ether should not be allowed to be sold by the ordinary druggist, and that it should pay some Licence Duty. They might then prevent this stuff, which is most injurious to health, being drunk in every little village in the mountains.

(12.5.) SIR L. PLAYFAIR (Leeds): I would point out that ether is used as an anæsthetic quite as much as chloroform, and anything that rendered it difficult for the medical profession so to use it would be a great misfortune. Ether is a product of alcohol; but in itself is not an article of Excise at all, and I think it would be well to limit the reference to the use of ether as an intoxicant so as not to put any difficulty in the way of its use as an anæsthetic.

(12.6.) MR. T. W. RUSSELL (Tyrone, S.): I put my Amendment upon the Paper because there are certain districts in Tyrone, and Londonderry especially, where the sale and consumption of ether has become a positive danger. It is not sold by druggists alone, but in every small shebeen. Ether is publicly sold much to the destruction of the public health.

Question put, and agreed to.

Order discharged.

SUPERANNUATIONS (OFFICERS OF COUNTY COUNCILS) BILL.—(No. 134.)

SECOND READING.

Order for Second Reading read.

*(12.7.) MR. NORRIS (Tower Hamlets, Limehouse): I do not rise to move the Second Reading of this Bill, but to ask leave of the House to withdraw the Bill, with a view to give the County Councils an opportunity of discussing the question during their autumn sittings. The Bill has the approval and support of many Members on both sides of the House, and my hon. Friend the Secretary to the Local Government Board has expressed, on a former occasion, his approval of the principle of the Bill, and that it is a subject well worthy of the consideration of the House. In asking leave to withdraw the Bill, I beg to give notice that I shall re-introduce it next Session. I now move that the Order be discharged.

Motion made, and Question, "That the Order be discharged, and the Bill withdrawn,"—(*Mr. Norris*)—put, and agreed to.

MIDWIVES REGISTRATION BILL.

(No. 29.)

SECOND READING. [ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Question [21st May], "That the Bill be now read a second time."

Question again proposed.

*(12.9.) THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): There is no doubt that this Bill, as it stands, presents some very objectionable features; but, at the same time, there is a strong feeling entertained in all parts of the House that a satisfactory arrangement might be arrived at if the Bill were referred to a Select Committee.

(12.10.) MR. CONYBEARE (Cornwall, Camborne): Do I understand the Government will give time this Session for the passing of the measure after it has been considered by a Select Committee? There are a good many contentious things in the Bill, but I would not object to the Bill being referred to a Select Committee if we are to understand it is not to be pressed this Session.

DR. TANNER (Cork Co., Mid.): I hope my hon. Friend will not persevere with his opposition, because if the Bill is referred to a Select Committee many of its objectionable features will be eliminated.

Question put, and agreed to.

Bill read a second time, and committed to a Select Committee.

TRUSTEES APPOINTMENT BILL

[LORDS.]—(No. 364.)

SECOND READING.

Order for Second Reading read.

*(12.10.) MR. H. H. FOWLER (Wolverhampton, E.): I should like to explain how this Bill comes down from the House of Lords. Some years ago an Act was passed for enabling the Trustees of Nonconformist chapels to be appointed in a very simple and inexpensive manner. That Act was intended to apply to Nonconformist chapels in England. Shortly afterwards the Court of Chancery decided that the Act did not extend to chapels held in trust for denominations, but only to chapels held in trust for a specific congregation. The effect of this decision was to exclude all Wesleyan Chapels from the benefits of the Act. The object of this Bill is to provide that the old Act shall include Wesleyan chapels. If this Bill is passed it will very much reduce the cost of and facilitate the appointment of new Trustees. It is a purely technical Bill. It has been drawn by an eminent conveyancer, and it comes down with the sanction of the Lord Chancellor and Lord Herschell. It will prove an act of justice to a large section of English Nonconformists, and, therefore, I hope the House will agree to the Second Reading.

*MR. TOMLINSON (Preston): Does the right hon. Gentleman propose to refer the Bill to the Standing Committee on Law?

*MR. H. H. FOWLER: Personally, I am prepared to take it as it comes from the House of Lords.

Question put, and agreed to.

Bill read a second time, and committed for to-morrow.

MOTIONS.

EDUCATIONAL ENDOWMENT (SCOTLAND) - MACDIARMID SCHOOL FUNDS.

*(12.14.) MR. FRASER-MACKINTOSH (Invernessshire): I beg to move—

"That an humble Address be presented to Her Majesty praying Her Majesty to withhold Her consent to the scheme of the Educational Endowment (Scotland) Commissioners for the management of the Endowment known as the Macdiarmid School Funds so far as relates to the Parish of Portree."

The people of the Braes District of Portree, which is a very poor one, complain that certain educational facilities they have enjoyed for the last 40 years are now taken away from them. A school was established there 40 years ago, and at a later period another school was established, and now it is proposed to do away with one of the schools. It is well known that one of the great disadvantages education labours under in the Highlands is the distance poor children are obliged to travel to school. If this school is

closed as proposed, children will have to travel four miles to school instead of three. It is not to be expected that children ill fed and clad like those of the Braes can attend regularly under such circumstances, and as even hitherto the attendance is not up to the mark, if this project is carried out the present rather limited attendance will fall off altogether.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying Her Majesty to withhold Her consent to the Scheme of the Educational Endowment (Scotland) Commissioners for the management of the endowment known as the Macdiarmid School Funds, so far as relates to the parish of Portree."—(*Mr. Fraser-Mackintosh.*)

(12.18.) MR. J. A. CAMPBELL (Glasgow and Aberdeen Universities): The Commissioners, in framing this scheme, were very much guided by the information and opinions they obtained as to the state of education in the district. There are two schools in the district, but neither of them is very good. One is attended by about 36, and the other by about 29 children on an average. The schools are not far distant from each other, and the opinion of the Commissioners was that one good school would be sufficient, to be supplemented by itinerant teaching, as is provided by the Scottish Education Act, for the very scattered population of the remoter parts of the parish. Neither of the schools has a very high position in the opinion of the Education Office. Indeed, Her Majesty's Inspector has given something like a threat to both schools that unless their quality is improved the grant cannot be continued. In order to make the public school efficient, which it is proposed to continue, it is desirable that some money should be spent upon it. The scheme which my hon. Friend proposes to interfere with provides that part of the endowment shall be expended upon the improvement of the school accommodation. It is understood that about £200 will be required for that purpose, and the whole capital of the endowment is only £1,000. My hon. Friend is in error when he says the scheme of the Commissioners proposes to give the money for bursaries. Part of the money, in the first place, is to be expended on improving the buildings; in the second place, the Governors shall apply such sum as shall be required out of their annual income in providing school material, including, in the case of girls, material for industrial work; and, thirdly, the residue of the income shall be applied by the Governors either in establishing bursaries or in supplementing the salary of the teacher, or providing or supplementing the salary of a female assistant teacher in the public school at Braes. There is little doubt that the latter alternative will be preferred. The whole matter is left in the hands of the Governing Body, who are the minister of Portree, some one appointed by the School Board, and Her Majesty's Inspector of Schools for the district. The scheme has the full approval of the School Board of the parish. Hitherto the endowment has not been doing much good, and I ask the House to support the scheme of the Commissioners.

(12.24.) MR. CALDWELL (Glasgow, St. Rollox): It was for the benefit of a very poor district that this £1,000 was left. The school was the first school built in the district in 1847, and it was built, as a good many Highland schools are, in a convenient centre, so that children from the neighbourhood could attend with ease. Then a school was built almost alongside this school by the Free Church in 1860, and the proposal of the Commissioners is that of these two schools one shall be discontinued. The school to be discontinued is the older school, the foundation school, and it so happens it is the better conducted school. It has an average attendance of 29, and 15s. per head is earned on average attendance. In the other school the average grant is only 10s. per head. It is proposed to add to the buildings. The hon. Member for Glasgow University (Mr. J. A. Campbell) states that £200 is to be spent in adding to the buildings. The accommodation at present in the public school is £90, and the average attendance is over 65. Are you going to do over again what you have done in the Highlands, by erecting schools that are not required? The bursaries are to be allocated to the parish of Portree,

where the better class population is to be found. The result will be that the better class children will carry off the endowments, and the money will not go to the district for which the money was left originally. Another proposal is to supplement the teachers' salary. Does the hon. Member for Glasgow University imagine for a moment that this is a place where you can look for higher education? The small number of children in average attendance shows that they are not the class for whom higher education can be provided. It is proposed also to build a school three miles away from the existing schools. If you use the money in putting a school down in the midst of the population it will be usefully employed.

(12.28.) The House divided :—Ayes 37; Noes 86.—(Div. List, No. 175.)

BRITISH AND FOREIGN SPIRITS.

Ordered, That a Select Committee be appointed to consider whether, on grounds of public health, it is desirable that certain classes of Spirits, British and Foreign, should be kept in bond for a definite period before they are allowed to pass into consumption, and to inquire into the system of blending British and Foreign Spirits in or out of bond, and into the propriety of applying the Sale of Foods and Drugs Act and the Merchandise Marks Act to the case of British and Foreign Spirits, and mixtures of British and Foreign Spirits, and also into the sale of ether as an intoxicant.

The Committee was accordingly nominated of,—Sir Lyon Playfair, Mr. Somervell, Sir Henry Roscoe, Mr. T. M. Healy, Mr. Boord, Sir Edward Harland, Mr. Flynn, Colonel Hill, Mr. Hozier, Mr. M'Ewan, and Mr. Jackson.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Five be the Quorum.—(*Mr. Chancellor of the Exchequer.*)

METROPOLITAN WATER COMPANIES.

Return ordered—

"Of the Accounts, as they are respectively made up, of the Metropolitan Water Companies to the 30th day of September, and the 31st day of December, 1889."—(*Mr. Long.*)

Return presented accordingly; to lie upon the Table, and to be printed. [No. 283.]

POST OFFICE *EMPLOYÉS.*

(12.40.) On the Motion for adjournment:—

MR. CONYBEARE (Cornwall, Camborne): Before that Motion is put, I wish to ask the Postmaster General a question as to which I will only trouble him with a few words on account of the gravity of the situation. I wish to ask him whether it is a fact, as I heard stated this evening, that sorters and telegraph boys are summoned for Tuesday morning to act as blacklegs in place of the regular postmen? I wish to ask whether, in view of the position of affairs in the Post Office, this is to be done? I have just come from a meeting of the Postmen's Union, at which no less than 1,000 Post Office *employés* were present. The meeting was addressed by Mr. Shipton, among others, and a resolution was unanimously passed that the Postmen's Union, which consists of more than three-fourths of the Postal Staff in the Metropolis, should authorise the Trades' Union Council, which represents 40,000 workmen, to make representations to Government and to Parliament with a view to mediation between the Post Office and the Union, and that no action should be taken by the Union pending the receipt of a Report from the Trades' Union Council as to the effect of the representations made. It was further provided that such Report should be presented within 12 days, and it was stipulated that the Postmaster General should not proceed to violent measures in the way of supplanting the men or reducing or suspending Post Office *employés.* I think it is right that the right hon. Gentleman should understand the position of affairs, in view of the grave intelligence which came to the meeting, that he was about to take violent measures to-morrow morning. In taking the action the meeting did the men did not act exactly in consonance with their own feelings, but they were

guided by a strict sense of duty, and they also acted upon the urgent advice of their leaders. I hold in my hand a placard which was posted at the instance of the right hon. Gentleman this afternoon, and which has been taken by the Post Office *employés* as a direct repudiation of a request which was made on behalf of the Postmen's Union by letter this afternoon. This placard was regarded by the men as a direct threat of supplanting them in their work by means of blacklegs, and I must state that the placard was publicly burned at the meeting. I hope the right hon. Gentleman will realise what is the state of things, and that he will not drive the men to extremities.

*(12.45.) THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): I doubt if this House has ever before listened to such a speech as has just been made. I regret that any Member of this House should have thought it consonant with his public duty to indulge in such observations as the hon. Gentleman has just uttered in a matter of very serious public interest. I have no knowledge of any placard having been issued this afternoon by my authority or by the authority of the Department; and, therefore, if the hon. Gentleman thinks he has served the interests of his friends by referring to that, certainly the charge he wished to levy against my Department recoils upon himself. I can only say that in dealing with a question which would never have assumed its present proportions had it not been for the uncalled-for interference of professional agitators, I have sought, as far as I can, to keep in view the interests of members of the Service and of the public; and I am happy to assure the hon. Member that I believe I have made satisfactory arrangements for carrying on the Public Service if any misguided persons should so far forget their public duties as to desert them without reason or excuse. I cannot speak as I should like to do within the limits of Parliamentary courtesy of the tone taken by the hon. Member in referring to individuals who have volunteered their services to the Department in offensive and opprobrious terms which are unworthy of this House; but I will say that, if those misguided individuals who have listened to the mischievous counsels which they now appear to see through have at last learned wisdom, I am glad. The hon. Member himself has had the candour to admit that this somewhat tardy repentance is due to the fact that they have become aware that their services are not indispensable. I am quite prepared efficiently to maintain the Postal Service of this Metropolis, whatever may be said by the hon. Member and those who act with him. I am happy to say I hold in my hand a Resolution, which has just reached me from the important E.C. District, to the effect that that meeting of postmen had unanimously passed a resolution strongly deprecating any extreme action which would tend to disorganise the London Postal Service, and requesting the Postmaster General to receive a deputation of postmen with a view to their grievances being inquired into. As I have already stated on several occasions in the course of the last few weeks, I am perfectly ready to receive any deputation of postmen which approaches me in a regular and recognised manner; and I am inclined to believe that the labour spent by mischievous agitators in fomenting these disturbances in the Public Services will be found to be entirely thrown away.

(12.48.) MR. CONYBEARE: In reference to the placard I should like to explain that I have a copy of it here. It is duly signed. It is dated the 7th July, 1889, and it begins with the words "Mr. Raikes directs." If the right hon. Gentleman was not aware that it had been issued, I think his lack of knowledge shows there is a great deal more disorganisation in the Office than he is aware of.

House adjourned at ten minutes before One o'clock.

HOUSE OF LORDS,

Tuesday, 8th July, 1890.

THE MILITARY AND POLICE DISTURBANCES.

QUESTION—OBSERVATIONS.

EARL GRANVILLE: As there have been some rather uncertain and conflicting reports regarding the Metropolitan Police and also regarding an incident at Wellington Barracks—although the two matters do not seem to be in connection—I have given private notice to the noble Marquess that I would ask him whether he can state how these matters stand? Of course, I do not ask the question with the slightest intention of embarrassing the Government; but I think an authentic statement, particularly if, as I believe it may be, of a reassuring character, will be satisfactory to the House and to the public.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): I have seen the Chief Commissioner of Police, and I gather from him that the disturbance last night has been somewhat exaggerated in the reports which have appeared in the morning papers, and, even according to those reports, was not of a very aggravated character; but it is undoubtedly true that there has been a certain disaffection in a small and limited section of the police, and that it was at Bow Street and in its neighbourhood especially that the influence of that section was felt. Under the circumstances, and as a crowd of a not very reputable character assembled in that locality, the Assistant Commissioner thought it desirable to send for a squadron of the Life Guards. Their appearance was quite sufficient to restore order, and, as far as it is possible to judge, there is no reason for apprehending that order will be disturbed again. If it is, of course there is ample preparation for any such contingency. With respect to the other matter, I speak with more hesitation, in the first place because it is a military matter, on which a civilian must necessarily speak with much doubt, and, also, because it is the subject of investigation by a Court of Inquiry. Therefore, it would be undesirable for me to express an opinion when evidence is being received and sifted, and the result of that evidence will, no doubt, be before the public before long. Though any breach of military discipline is very much to be deplored, and ought to be visited with proper punishment, still, I think that it would be absurd to lend any importance to what has taken place. It is an accidental want of discipline in a particular part of Her Majesty's Army, and I have no doubt that it will be very speedily remedied, and that discipline will be restored.

SETTLED LAND BILL.—(No. 99.)

Reported from the Standing Committee for Bills relating to Law, &c., with amendments; The Report thereof received; Bill re-committed to a Committee of the whole House on Monday next; and to be printed as amended. (No. 185.)

ELECTRIC LIGHTING ORDERS CONFIRMATION (No. 14) BILL.

A Bill to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to Aberdeen, Dundee, Glasgow, Kelvinside, and Moss Side and Stretford—Was presented by the Lord Balfour.

*THE SECRETARY TO THE BOARD OF TRADE (Lord BALFOUR of BURLEIGH): I ask your Lordships to suspend the Sessional Order of the 10th March last, in order to enable the First Reading to be taken of a Bill to confirm certain Electric Lighting Provisional Orders. The circumstances are so very special that I have no hesitation whatever in asking this indulgence from the House, and I believe, when I put a few facts before you, which I will do as shortly as I can, the permission will be given unanimously. Under the Electric Lighting Act of 1882 there was a Schedule which stated, as regards Scotland, both in urban and in rural communities, what public body was to be the Local Authority for the purpose of giving assent under the Electric Lighting Acts; but the draftsman of

that Schedule had evidently not been made aware of all the peculiar provisions of the different private Acts affecting the various Scottish burghs, and when this came to be considered for the purpose of getting the assent of the Local Authorities, it became evident that the Act of 1882 and those Private Acts were not consistent with one another. In fact, a very great deal of confusion had arisen, and it became necessary, early in the present Session, to introduce a Bill for the sole purpose of amending the Schedule of that Act. A very great deal of correspondence and negotiation was necessary in order to adjust that Schedule to the requirements of all the different urban and rural communities in Scotland, and it took a considerable time to carry it out. Until that Bill had received the Royal Assent it was technically impossible for the Board of Trade to proceed with the confirmation of those Electric Lighting Acts. That Bill received the Royal Assent on Friday last, and, therefore, I have taken the very earliest opportunity possible of introducing a Bill to confirm the Electric Lighting Orders for the towns mentioned, which Electric Lighting Orders have been adjusted very carefully between the Board of Trade and the different persons concerned, upon the faith and in the belief that the Bill I have mentioned would pass Parliament. With regard to the Kelvinside Electric Lighting Order, which is also confirmed by this Bill, there is the additional difficulty that Glasgow was asking in the present Session of Parliament for a large extension of boundaries, which would have included Kelvinside, and until Parliament had passed judgment upon that Bill, which it has now done, it was impossible for us to say who would be the Local Authority for the purpose of carrying out the Electric Lighting Acts. One of these Electric Lighting Orders refers to a place which is not in Scotland, that is, the Moss Side Order, and that one had to be postponed because there was procedure before the Local Government Board as to another application by the Corporation of the City of Manchester for extending the City boundaries, and if that permission had been given the City Corporation would have become the Local Authority. The Local Government Board have refused that application, and we think the Electric Lighting Order should now be granted. So far as I know, there will be no substantial objection to any of these Orders, and I have every ground for hoping that before the time for dealing with the matter in Committee arrives the opposition will be got rid of. Of course, the only way to test that is to read the Bill a first and second time, and see whether anybody petitions against them. My Lords, if this indulgence is not given, the result will be that the Cities of Aberdeen, Dundee, and Glasgow will be prevented from having electric lighting during the present year, and the matter will have to stand over for another year. Under all the circumstances, I hope the noble Lord the Chairman of Committees will see no objection to the suspension of the Sessional Order, in order to enable this Bill confirming the Provisional Orders I have mentioned.

Lord Balfour of Burleigh

Moved—

"That the Sessional Order of the 10th March last, 'That no Bill originating in this House confirming any Provisional Order or Provisional Certificate shall be read a first time after Friday, the 16th day of May next,' be dispensed with in respect of the said Bill, and that the Bill be now read 1ª."—(*The Lord Balfour of Burleigh.*)

THE EARL OF MORLEY: I have very little to say upon this matter. The circumstances, as detailed by the noble Lord opposite, are so very particular that I shall not think of offering any opposition to the Motion he has made.

On Question, agreed to; Bill read 1ª accordingly, to be printed, and referred to the Examiners.

ORCHARDS RATING EXEMPTION BILL.—(No. 149.)

House in Committee (according to order); Bill reported without Amendment; and to be read 3ª on Thursday next.

SUPERANNUATION (WAR DEPARTMENT) BILL.—(No. 118.)

House in Committee (according to order); Bill reported without Amendment; and to be read 3ª on Thursday next.

INTESTATE ESTATES BILL.—(No. 148.)

SECOND READING.

Order of the Day for the Second Reading, read.

*LORD BRAMWELL: I think the proposal in this Bill which I ask your Lordships to read a second time is a right one. It applies to the case of a man dying without issue, child, grandchild, or other descendent, intestate, and leaving a widow, and to no other case. If he leaves a will of course the Bill has no application, if he leaves a descendant the Bill has no application, and if he does not leave a widow the Bill does not come into operation. Your Lordships know, I dare say, that at present in such a case as the Bill applies to the widow has half the personal estate, and the next-of-kin, however remote they may be, have the other half of the personal estate. In reference to real property the widow is also entitled to dower, unless the conveyance has been to her husband, and the dower is barred, as it usually is; but practically, I should say that people who die worth no more than this Bill supposes very seldom leave any real property. Substantially, the result is that the widow has half the personalty and the next-of-kin, however remote they may be, get the other half. Of course, the next-of-kin may be the father or the mother of the intestate, but I suppose that is comparatively a rare case, because parents generally die before those of their children as have attained such an age as to leave a widow. Practically, therefore, I believe the Bill will very rarely come into operation except in cases where the competition is between the widow and the collaterals. Now the Bill proposes that in such a case as I have supposed the widow should have a minimum interest in the intestate's property to the amount of £500, which would make some sort of a provision for her. That is the substance of the proposal that is now before your Lordships. If the man dies worth more than £500 up to £1,000, why then his widow gets the £500 only, and the residue is divisible amongst the next of kin. If he dies worth more than £1,000 then the intention of the Bill is that it should not apply that she should have half of the entire sum whatever it may be. Now this is a small matter, I confess, and I cannot see that there is any particular principle in it beyond this, that it is reasonable that the widow should be preferred practically to collaterals. If I am asked why £500 should be named I cannot give any particular reason for it. It might be that £1,000 would be better; it might be that £600 would be better; it might be that £400 would be better; I cannot say. But those who have brought forward the Bill (and your Lordships know, I suppose, that it has passed the Second Reading in the House of Commons) have thought that £500 is a reasonable amount to put in the Bill. I think so too. I do not think it is giving the widow too much, and I do not think it is taking anything unreasonable away from those who would otherwise get the property. I ask your Lordships to give the Bill a Second Reading.

Moved, "That the Bill be now read 2ª." —(*The Lord Bramwell.*)

*LORD MORRIS: Before the Bill is read a second time, as I see it applies to Ireland, where it would make an enormous difference as regards the present state of the law, I should like to say a few words. In Ireland the peasantry and small farmers make some sort of division of their property when *in extremis*, which is carried out, generally speaking, with a good deal of strictness by their relatives, though it may not be very legal. They are fond of obeying the exhortations and directions of the death-bed. This Bill would have a large effect in Ireland, because £500 there would be a large estate among the class of persons to whom it would apply, and it would lead, in my opinion, not only to a good deal of difference in the state of the law but very often to riots and possibly to murders. We know from what has occurred in Ireland the tenacity with which they hold by their land; and if a man dies and leaves a young widow, and she becomes under this Bill the holder of his land, which might be personal property, and under £500 in value, if she marries and carries off that property to her second husband, the father and mother, brothers and sisters, nephews and nieces, as the case might be, of that man would look upon that personal property

as really their own, and according to modern legislation they would be very right in looking at it from that point of view, and, in my opinion, that might lead to most disastrous results. At all events, I do not think it is a matter that ought to be hurriedly run through.

On Question, agreed to.

Bill read 2ª (according to order), and committed to the Standing Committee for Bills relating to Law, &c.

BOILER EXPLOSIONS ACT, 1882, AMENDMENT BILL.—(No. 164.)

SECOND READING.

Order of the Day for the Second Reading, read.

*LORD SUDELEY: I have to ask your Lordships to give a Second Reading to this Bill. Its object is very simple, that is to say, to slightly amend the Act of 1882. Under Clause 2 it gives a certain larger power to the Board of Trade, but I understand that Department has no objection to undertake that additional duty. In Clause 4 of the Act of 1882 the Board of Trade, who undertook the duty, were not to undertake it in respect of the Coal Mines Regulation Act and the Metalliferous Mines Regulation Act, which were worked under the Home Office; but the arrangement under the Board of Trade has worked so well that the working of those two other Acts has also been placed under them as far as boiler explosions are concerned. Then, under Clause 3 there is an alteration made as to what passed under the Act of 1882. Under the Act of 1882 if a boiler explosion occurred at sea it would have been necessary to make the report to the Board of Trade within 24 hours after the explosion. It is perfectly clear that could not be done in every case, because often it is some weeks before a ship arrives in harbour. This provision is, therefore, to extend the time, by stating "or as soon afterwards as possible." With those alterations in the Bill I beg to move the Second Reading.

Moved, "That the Bill be now read 2ª." —(*The Lord Sudeley.*)

*LORD BALFOUR OF BURLEIGH: I do not rise to offer any objection to the Second Reading, but only to point out that, though the exemption with regard to steamships in the Act of 1882 is repealed, there is no direct enactment that I can see in regard to the notices which are necessary to be given under certain circumstances. I hope the noble Lord will himself, or by consultation with the promoters of the Bill, consent to put in an Amendment for giving the statutory notice required. There is one other matter of rather more importance, which I hope will receive his attention and consideration. A recent case has occurred which had reference to an explosion on board a small steamboat engaged in fishing, which has shown the Board of Trade that there is no statutory power to compel the owner or his servants to give evidence in such case. We get notice of the explosion, but we get no real information as to how and why it occurred. It seems to the Board of Trade that this would be a favourable opportunity for endeavouring to get further power to ensure that those who knew what occurred should state what really did occur for the information of the Board of Trade and give evidence upon the subject. I do not desire to press for an answer now, but I hope the point will be considered by the promoters of the Bill, because it is one which is not without importance.

LORD HERSCHELL: I think the Bill might go before the Committee of the whole House but for what the noble Lord opposite has said, that it requires inquiry and investigation.

*LORD BALFOUR OF BURLEIGH: It is a very simple matter, and I should not object to its being dealt with in Committee of the whole House if your Lordships will agree to it.

On Question, agreed to.

Bill read 2ª (according to order), and committed to a Committee of the whole House on Monday next.

PUBLIC HEALTH (SCOTLAND) ACT, 1867, AMENDMENT BILL.—(No. 169.)

SECOND READING.

Order of the Day for the Second Reading, read.

LORD REAY: My Lords, the object of this Bill is simply to enable the authorities in burghs to provide hospitals within a convenient distance of the

burghs, outside the limits of those burghs, but in close proximity. I understand there is no objection to the Bill, and I beg to move that it be read a second time.

Moved, "That the Bill be now read 2ª." —(*The Lord Reay.*)

*THE SECRETARY OF STATE FOR SCOTLAND (The Marquess of LOTHIAN): There is no objection to the Bill of which the noble Lord opposite has moved the Second Reading. On the contrary, I think it is a very useful one. One thing, however, I think it is desirable to point out to the noble Lord, and that is that under the Bill it might appear that the powers given might be exercised in a rather arbitrary manner, but, as the whole Bill comes under the 89th section of the Public Health (Scotland) Act, 1867, all the provisions of that section are still continued in force; and under that clause it would, except by agreement, be impossible for the Local Authority to take any site beyond the burgh unless by a Provisional Order. As your Lordships are well aware, before obtaining a Provisional Order it is necessary to advertise the matter, and the Provisional Order must at last be sanctioned by both Houses of Parliament. Under those circumstances I think there is no danger of the powers under this Bill being exercised in an arbitrary manner. I am, therefore, very happy to assent to the Bill proposed by the noble Lord.

On Question, agreed to.

Bill read 2ª (according to order), and committed to a Committee of the whole House on Friday next.

IRELAND—OUTRAGES IN TIPPERARY.

QUESTION—OBSERVATIONS.

THE EARL OF CAMPERDOWN: My Lords, I rise to ask for a statement of the outrages which have occurred in or near the town of Tipperary, and of the circumstances; also whether it is true that an explosive was placed recently at the door of an ironmonger named Duggan, who had paid his rent to Mr. Smith-Barry; and whether Duggan has since written a letter giving in his adherence to the National League?

THE LORD PRIVY SEAL (Earl CADOGAN): The notice of the noble Earl's question has appeared on the Paper for so short a time that I have been unable to obtain for him detailed information with regard to many of the outrages referred to. I am able to state, however, that 25 outrages have been reported by the police as having occurred in Tipperary since December, 1889, in connection with what has been known as the Smith-Barry estate dispute. I hold in my hand the particulars with regard to four or five of these outrages, which, with the permission of the House, I will read. The first is the case of a Mr. Rutherford, who was a boycotted shopkeeper in Tipperary, whose servants all left him. On June 14, 1890, a man named English, who had gone to work for Mr. Rutherford, was assaulted in the street in Tipperary. As he was walking down the street he was struck from behind with a loaded whip, his head being severely cut, and his assailant escaped. In the second case Mrs. Fahey came into the town on June 24, 1890, and purchased an iron pot in the house of Mr. Duggan, a boycotted shopkeeper, and on her way home she was waylaid by a man who took the pot from her by force, saying that the National League had sent him for it, and he warned Mrs. Fahey not to enter Duggan's shop again. In the third case, on June 24th, 1890, a mob collected outside the house of Patrick Clifford, a boycotted newsvendor at Tipperary, and broke the windows with stones, and damage to the value of about £10 was done. Clifford's name appeared on a list of boycotted persons posted over Tipperary in printed notices on June 24. In the fourth case —and this is the case mentioned in the noble Lord's question—on June 28, 1890, an explosive, consisting of a piece of brass piping loaded with gunpowder, was thrown at Duggan's house, and exploded without injuring any person. Duggan was boycotted in Tipperary. As my noble Friend suggests in his question, it is believed that he has since written a letter surrendering himself to the National League. In the fifth case two young girls, servants or work girls to Miss White, a boycotted woman in Tipperary, were attacked in the streets of Tipperary on July 2, by two men, who assaulted them, used abusive language,

and threatened them. These men were arrested by the police, and committed to prison in default of bail. Those are five of the latest cases out of the 25 reported by the police. If the noble Lord desires further information on the subject I will endeavour to obtain it, but I am afraid I cannot do more now with the notice I have had.

House adjourned at ten minutes past Six o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 8th July, 1890.

PRIVATE BUSINESS.

LONDON COUNTY COUNCIL BILL.

(*By Order.*)

Bill, as amended, considered.

*(3.7.) Mr. LAFONE (Southwark, Bermondsey): I beg to move, on page 3 of the preamble, to leave out lines 31 to 34 inclusive. This is an Omnibus Bill, promoted by the London County Council, and in it they seek for power to appoint five Members upon the Thames Conservancy Board. The Thames Conservancy, as at present constituted, was incorporated in the year 1857; it was further added to by an Act passed in 1867, and again by an Act of 1886. Since that year there has been no change. But during that time various Bills have been laid before Parliament. The late Metropolitan Board of Works sought on four occasions to have a nominee upon the Conservancy Board, but, after very careful consideration by the Committees to which those Bills were referred, their application was rejected, and they were refused a nomination, because it was considered that the then constitution of the Conservancy Board was such as to secure attention to all the interests along the waterside, and that it was not necessary for the Metropolitan Board of Works to be represented, as they had to deal with the land works, and not with the river generally. I think I am correct in saying that from the first constitution of the Conservancy Board there has been no question as to the way in which the Board has conducted the work assigned to it. It has carefully watched over the interests of the Port of London, and there has been no complaint made against it. When the present Bill was before a Select Committee upstairs only one member of the London County Council—Mr. Haggis—was examined, and all he had to say was that the County Council wished to be represented. There is no reason to doubt that it is a laudable ambition on the part of the County Council of London to desire representation. It was originally proposed that the Council should have seven members, but the Committee cut down the number to five. As I have said, there was no evidence except that of Mr. Haggis, and he was obliged to confess that there had been no complaint of the way in which the Conservancy Board had executed the duties confided to them. If the present proposal is carried out it means this, that the upper portion of the River Thames will also require to be represented on the Conservancy Board, and, if five members are allotted to the London County Council, of course, the property on the banks of the river or abutting upon it would claim a proportionate representation, and the Conservancy would again become an unwieldy and unworkable body. Under its present constitution the Board is a workable Board, and no person can drive a single pile into the river without the sanction of the Board. Encroachments by that means are prevented, and very valuable work is done. The Select Committee has sanctioned a proposition that the County Council shall have five representatives, but, if that proposal is acceded to, those persons who have interests along the whole banks of the river will not long remain satisfied to be cut out from representation. It will, therefore, be necessary to make provision for a much larger representation than now exists. As I have said, there has been no complaint of the manner in which the present Board discharge their duties; the number of representatives is a workable number, it represents the whole of the area of the City of London, together with the merchandise, shipping, and other interests of the River Thames and the Port of London. The London County Council,

as we know, has the conduct generally of the main drainage of the Metropolitan area, and the late Metropolitan Board of Works, whose successors the London County Council are, found in the Thames Conservancy Board a most desirable check upon their proceedings. They were prevented from fouling the river, and, if the proposal now before the House to give a representation of five members of the Conservancy Board to the County Council is entertained, it means that those five members will represent the authority which has to deal with the sewage of London in the Metropolitan area generally, and who would have the power of voting for their own measures, whether they tended to preserve the purity of the Thames or not. I am afraid that the present conduct of the sewage and the management of the outflow where it is dealt with is not so satisfactory that we ought to give to the County Council increased power of voting upon any question upon which the purification of the Thames is dependent, and in addition the representatives of the Council would be both Judges, jury, and plaintiffs in their own case. That, I think, is one of the reasons why it is most inexpedient that this power should be granted to them. It is only the thin end of the wedge that is now sought to be inserted; and I trust that hon. Members will feel generally that it is not for the interest of the Port of London that this portion of the Bill of the County Council should be granted. I therefore beg to move the Amendment of which I have given notice.

Amendment proposed, in page 3, line 31, to leave out from the word "and," to the word "so," in line 34, both inclusive.—(*Mr. Lafone.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

*(3.15.) MR. STORY-MASKELYNE (Wilts, Cricklade): Hon. Members will be aware that I have had something to do with the conservancy of the Thames in the past, and I have therefore a *locus standi* in asking the House to listen to me for two or three minutes. I beg to second the Amendment which has been moved by the hon. Member for Bermondsey (Mr. Lafone), and I do so not altogether upon the ground upon which the hon. Gentleman relies, but really in the interest of the Thames itself, and of all who are concerned in it, whether they are County Councils or riparian owners or other persons. I am afraid that if we consent to this proposal we shall be in great danger of making this Board of Conservancy still more unwieldy than it is now. It is already a very unwieldy body, and if we are going to add five members to it we shall only make it more unwieldy still. Moreover, we cannot add these five members without accepting the demand of other County Councils up the River Thames that they also shall be represented. I, for one, desire to see all persons who are really interested represented, because I think that the best way of dealing with the many interests relating to the Thames is to have a proper representative body, but not in the unwieldy form which the Conservancy, has had from its first institution as a Board of Riparian Commissioners, nearly 200 years ago. The proposal now made involves our giving a similar unwieldy form to the representation, and I am afraid the result would be practically to constitute a little Parliament as incapable of carrying out really good measures as other Parliaments appear to be. What I feel is that the proper way of dealing with this question is not to add five Members to-day and more Members to-morrow, but to appoint a Select Committee to inquire into the whole question of the Conservancy of the Thames, and the reconstitution of the Conservancy Board on a representative basis. That is certainly what we ought to do, if we really desire to carry out the objects of the several useful Acts which have been passed. I may remind the House that the Thames is one of the most ancient highways of the Kingdom, and it is also a recreation ground for a very large section of Her Majesty's subjects. The Bill which I had the honour to introduce and to carry through this House some years ago had for its object the preservation of the Thames for the public, not merely as a place for house boats and skiffs, and for every form of rough to disport upon, but as a place of enjoyment where order is to be kept and something like decency observed. That Act has, I believe, worked exceedingly well, and I

am bound to say of the Conservators, that as far as they, not having the moral strength of a representative body, have been able to carry it out, they have endeavoured to do so. Furthermore, it appears that the Thames, as a highway, has been admirably preserved by the Conservators, and they deserve all the credit that can be given to them for keeping its bed and the locks in good condition. They have also done their best, at any rate, to keep it pure. Below London they have had great and difficult problems to deal with, and various Acts of Parliament have placed matters very much beyond their control; but, so far as the upper part of the Thames is concerned, they have done their work well. I feel that no body of this kind, having to deal with large public interests, can in these days effectually deal with them unless it is a representative body, and a representative body in the best sense of the word. Now that we have Local Government, I am of opinion that the best form of representative government would be for every Local Authority along the banks of the Thames, through the County Councils, to have representation upon the Conservancy Board. The proper way to secure that object is not, however, to add five Members to-day and two to-morrow, but to hand the whole matter over to a Select Committee to inquire into and to advise the House as to the best plan for managing what really is the oldest and grandest highway in this country, not merely for commerce, but for pleasure. Therefore, I second the Amendment, because I believe that in retarding the honourable aspirations of the London County Councils to be represented in this large way upon the Conservancy Board I am enlisting the County Council itself on my side when I prefer the request that the House will give us a Select Committee to investigate the whole subject, and endeavour to place it on a proper and satisfactory footing.

*(3.20.) SIR J. LUBBOCK (London University): My hon. Friend who has just sat down states that he is opposed to this provision, because he thinks that all the representative bodies on the banks of the Thames ought to have a voice in the conservancy of the river. That is the very reason why the clause objected to was inserted in the present Bill, and if it is rejected, as my hon. Friend proposes, he will only defeat his own object, and the greatest municipality on the banks of the Thames will continue to be absolutely unrepresented. My hon. Friend says that he thinks the best mode of dealing with the question is to refer it to a Select Committee, before whom the whole of the facts can be presented, and who will present a Report to the House. But that is exactly what has been done already. The clause as it stands in the Bill is the result of the deliberations of a Committee of this House; and yet my hon. Friend suggests that the best mode of dealing with the question is to refer it to a Committee. At the same time, he refuses to endorse the decision to which a Committee has already arrived. If he succeeds in his object, London will have no voice in reference to the management of the Thames. This clause was fully discussed before the Committee upstairs, and I would submit to the House that it is a question more for the consideration of a Committee upstairs than for this House, with the great amount of work it has upon its hands. It will be remembered that the Thames passes for about 23 miles through the administrative county of the Council of London, who have the administration of the bridges and other duties to discharge in reference to the Thames. No doubt those who live in the upper part of the river have a great interest in all that concerns the Thames; but it is obvious that it is of much more importance to the residents on the lower part to control what is done in the upper part than it can be for the upper part to control the lower reaches of the river. Our interest in London, therefore, is much greater than that of those who live on the upper portion of the river. I cordially agree with everything my hon. Friend the Member for Cricklade (Mr. Story-Maskelyne) said in his speech, except in the conclusion he drew. He said that the Thames is a great recreation ground for the citizens of London. That is precisely one of the reasons why we submit to the House that the citizens of London ought, through their representatives, to have some voice in the management of the river. Can it be said that the amount of representation which

is proposed is excessive? There will be 28 representatives on the Conservancy Board, and it is only proposed that five should be representatives of the London County Council. The point, however, that is now before the House is not as to the exact number. My hon. Friend does not propose to reduce it to four, three, or two; but he says that the citizens of London, through the County Council, their own representatives, shall have no voice in the management of the Thames. I come next to the question of the River Lea. I am reluctant to occupy the time of the House unnecessarily. The circumstances which relate to the River Lea are *mutatis mutandis*, very much the same as those which relate to the Thames; but instead of asking for five representatives it is thought that two would afford adequate representation. In that proposal I entirely concur. The County Council accepts the result arrived at by the Select Committee, and I ask the House to support the Committee in the conclusions to which after careful consideration they have arrived.

*(3.25.) MR. MURDOCH (Reading): I must reiterate the complaint which was made by the hon. Member for Bermondsey as to the title of this Bill. It is entitled "A Bill for the improvement and alteration of a bridge over Bow Creek at Barking and for the acquisition and management of Brockwell Park."

*SIR J. LUBBOCK: Will the hon. Member kindly read the rest of the description of the Bill?

*MR. MURDOCH: "And to confer various further powers on the London County Council." That is exactly what I was coming to. I find nothing in the Bill about the bridge at Barking Creek; and in regard to Brockwell Park, every Member of the House will be thankful that something should be done to preserve that open space for the benefit of the Metropolis. But when the Bill goes further and attempts, and under the guise of its provisions, to appoint upon the Thames Conservancy five representatives of the London County Council, most hon. Members will feel that they have been taken by surprise, and that attention has not been properly directed to the provisions of the Bill. I need hardly remind the House that the subject of the Thames Conservancy has received consideration in this House from time to time. Two Acts have been passed—one in 1864 and the other in 1866—which settled most clearly, and I believe most satisfactorily, the constitution of the Thames Conservancy Board. By the Act of 1864, which was brought in at the instigation of the Board of Trade, and upon which Bill I find the names of Mr. Hutt and Mr. Peel, there were added to the Thames Conservancy two owners of shipping, one of steamers upon the Thames, two owners of lighters, and one representative of the dock owners. In 1866 a further Bill was introduced into Parliament, which was entitled "The Upper Navigation of the Thames Bill." That measure also was brought in at the instigation of the Board of Trade, and it has upon it the names of Mr. Milner Gibson, the President of the Board of Trade at that time, and of Mr. Monsell. By that Act four Members were added to represent the upper navigation of the Thames, it being felt that that interest had in former years been greatly neglected, while the interests of the lower river, and especially of London, had been over represented. We must remember that from time to time the Metropolitan Board of Works had endeavoured to get members placed upon the Thames Conservancy Board. Parliament always resisted their endeavours; and, I think, that when we want to know something about a Bill before Parliament it is only right that we should carefully study the statement of the promoters of the Bill. There are a few matters in the present statement which I should like to mention. The first is this: The London County Council, as the successors of the Metropolitan Board of Works, are anxious to have a certain share in the management of the Thames, and they say, "the County Council have extensive sewage works on the river, in connection with which considerable difficulty and costly litigation arose between the Metropolitan Board of Works and the Conservancy Board, which it is believed would have been avoided"—I particularly direct attention to these words—"had there been on the Conservancy Board a Representative of the Metropolitan Board of Works." Now, what does that mean? Does it not mean that if they had had Representa-

tives the Metropolitan Board of Works would have had a paramount influence, and would have been able to overturn the decision of the members of the Conservancy Board. Further than this, the London County Council base their claim for representation upon the Board upon the fact that they have to maintain nearly all the bridges crossing the Thames, and certain sewage works. Now, I maintain that having these bridges over the Thames, and having also sewage works which empty themselves into the river, their interests are entirely antagonistic to those of the Conservancy of the Thames, and, therefore, it is of immense importance that they should not have members upon the Conservancy Board who may act against the other interests which that Board represents. The right hon. Gentleman the Member for the University of London (Sir J. Lubbock) has called attention to the fact that evidence was taken before the Select Committee in support of the claim of the County Council to have representation upon the Conservancy Board. But I wish to remind the House that only one witness was called—a prominent member of the London County Council — and that Gentleman, although he wished undoubtedly to make the best he could of his case, was not able to say, on cross-examination, that there was any reason or ground of complaint against the Thames Conservancy Board. I have the evidence before me, but I cannot now take up the time of the House by entering into it. If, however, hon. Members will read it, they will see that over and over again Mr. Haggis stated that there was no ground of complaint against the Thames Conservancy Board. And now there is one word I should like to say with regard to what has fallen from the hon. Member for Cricklade. The hon. Member was himself the means of passing a Bill through this House, which is known by the name of the Story-Maskelyne Act. That Act is one which gives very considerable powers. It deals with the use of the Thames for recreation purposes. It is an extremely useful Act, and it has enabled the Thames Conservancy Board to deal with one of the grounds upon which the London County Council claim the right of representation—that is the recreation ground—and the Conservancy Board have discharged their duties in that respect in a manner which has given satisfaction, not only to the riparian owners, but to those who use the Thames for recreation purposes. I trust that the House will re-affirm the decision it has given over and over again, namely, that it is against the interests of the Thames itself, and of all of us who take a pride in the river, that certain members, representing either the London County Council or any body of that description, should be placed on the Conservancy Board at the present time.

*(3.35.) MR. H. LAWSON (St. Pancras, W.): In spite of the pride which the hon. Gentleman who has just addressed the House takes in the River Thames, the speech of the hon. Gentleman illustrates the hardship and inconvenience of the course which he is taking. The Bill was discussed on the Second Reading, and some of the points which were then disposed of are actually raised now as a reason for mutilating the measure as it has come down from the Committee. The hon. Member shows how we suffer in London from a lack of municipal experience, or he would hardly have told the House that it is an unfair thing to put general powers into a General Powers Bill such as is constantly presented by every great municipality in this country. Precedents were cited by the right hon. Member for Wolverhampton (Mr. H. Fowler), on the Second Reading of the Bill, to show that there is nothing unusual in bringing in a Bill under a title which includes all the objects set forth. The hon. Member for Peckham (Mr. Baumann) made that a point on the Second Reading, and as it was disposed of then, it ought not to have been raised again. It would require that Members should read through the evidence submitted to the Committee upstairs, to understand the Bill. It was very completely dealt with by the Committee. Previous Acts of Parliament dealing with Thames Conservancy have been referred to, but they were all adopted on the Reports of Select Committees, and I think it is most inconvenient that when a private Bill has undergone full consideration upstairs, and modified proposals are submitted to the House, general objections should be raised to the measure whon it comes down to us.

The hon. Member says that only one witness was called in support of this part of the Bill. Does he know why that was? It was because the Committee did not want to hear more; and not one witness was called against it. That is a specimen of the way in which the Bill is treated now. I should be loth to trouble the House with the evidence which was given, but it is quite clear that nobody is as much interested in the navigation and condition of the Thames as the people whom the London County Council represent. My hon. Friend says that they use it, and want to use it, as a great recreation ground. That was one of the arguments used by counsel in support of our claim, and it was further argued that the London County Council, as riparian owners, and as the Sanitary Authority deeply interested in the supply of pure water to the Metropolis, should have proper representation upon the Conservancy Board. The City of London is already represented. It has, I believe, no less than seven members, including the Lord Mayor. No complaint is made against the Thames Conservancy Board. The Bill is not a blow aimed at the Conservancy Board, but it is simply a claim on the part of the citizens of London for just representation in matters affecting the Metropolis. Twenty-three miles of the river go through the County of London, and at present only 1½ miles in the City of London are represented. The City with 1½ miles has seven representatives, while the County of London with 21½ miles has none. In olden times this House was content to accept the decisions arrived at by its Committees upstairs. This matter has been carefully gone into by a Select Committee, who investigated the whole question, and I believe that the hon. Baronet opposite (Sir J. Bailey), who presided over the Committee, is prepared to get up and support the decision at which the Committee arrived. Mr. Haggis, the Deputy Chairman of the County Council, stated to the Committee that there is no special grievance against the Thames Conservancy, but he pointed out that the management of the river, both above and below the Metropolis, is a matter vitally concerning the prosperity of London. That is a very sound contention, and as the Council has succeeded the body which freed or built the bridges, with the exception of the three which are within the City boundaries, there is good reason why they should have some control of the river. It is said that as the County Council are the Sewerage Authority in London, their interests are antagonistic to that of preserving the purity of the Thames, and that they might be unfairly employed if that body are allowed to be represented on the Conservancy Board. It is hardly necessary, I think, to point out that the pollution of the Upper Thames is of immense and growing importance to the inhabitants of London, and that they have a greater interest in preventing it than even the Conservancy Board. I will not trouble the House with anything further in the shape of argument. I am content to rest the case upon the evidence taken before the Committee. The simple fact that the Chairman of the Committee, who is known to hon. Members as one of the most fair minded men in the House, stated that the Committee did not wish to hear further evidence, ought, I think, to be sufficient for hon. Gentlemen opposite. The principle of representation on the Lea Conservancy Board is already admitted, because the Metropolitan Board of Works had one representative, and all the Metropolitan community who live in such districts as Hackney are vitally interested in securing that the Lea shall not be further polluted by the Tottenham Board and other Local Authorities. I trust that these clauses will be agreed to without a Division.

*(3.40.) MR. DIXON-HARTLAND (Middlesex, Uxbridge): As the Representative of a constituency which runs for 16 miles along the River Thames, I wish to say that we feel, so far as the upper part of the Thames is concerned, that our representation, instead of being too great at the present moment, is not sufficiently large. The two Acts of 1864 and 1866 went carefully into the question of local interests, and we are certainly of opinion that if an addition is made to the representatives of the lower part of the river we shall be much injured and our interests not properly attended to. The hon. Gentleman who spoke last spoke of the sewage upon other parts of the river. Do the London County Council propose to take charge of the river all the way up to

Oxford, or what is it that they propose to do? We consider that we are quite as able to take care of the river as any gentlemen from the London County Council, who have separate and different interests from our own. The hon. Gentleman spoke of the City of London having a large representation; but it must not be forgotten that the City of London is the Port Sanitary Authority; that it pays all the expenses; and that it has given up its dues. It is, therefore, only right and natural that it should be fairly represented, so as to balance the interests of the lightermen in the river below against the riparian interests of the owners in the upper part of the Thames. I do not think there has ever been a complaint against the conduct of the Conservancy Board. Not a single Petition has been presented against them. They have done their work to the best of their ability, and have always done what they considered to be most advantageous for the river. All that is wanted is authority to take care of the river, and I am afraid that the Thames itself is likely to be injured if it is placed under the jurisdiction of any County Council whatever. If London is to have five Members why should not Middlesex have the same or nearly as many representatives upon the Conservancy Board, seeing that nearly as many miles of the river run through it. If the constitution of the Board is to be interfered with at all, let every interest be properly considered, and not that of the London County Council alone. If these clauses are removed from the Bill, all the other provisions that are of value may remain untouched. Hitherto the Conservancy Board has worked very well, and it would be a thousand pities to interfere with what is doing well in order to give additional representation to the London County Council. The extra power could only be sought to cheapen the disposal of the sewage, which would have the effect of making the mouth of the Thames one vast sewer, and would operate to the detriment of trade and the health of the inhabitants.

*(3.45.) SIR C. RUSSELL (Hackney, S.): I submit to the House that the examination which it is possible to give to the Bill here is not sufficient to justify us in assenting to the Amendment moved by the hon. Member for Bermondsey, and setting aside the decision of the Select Committee. It is quite true, as the hon. Member for Uxbridge (Mr. Dixon-Hartland) has stated, that only one witness was called before the Select Committee in support of the claims of the London County Council, but a complete answer to that objection has been given by the hon. Member for St. Pancras (Mr. W. H. Lawson), that answer being first that the Committee expressed themselves satisfied with the grounds on which the general claim of the County Council was put forward; secondly, that no evidence against that claim was offered; and next, on the ground that the Council are supposed to represent the interests of the Metropolis, on whose behalf the claim was made. It seems to me that this fallacy runs through the whole of the arguments which have been advanced by the opponents of the measure:—They have been arguing the question as if in this matter the County Council have an interest opposed to the general interests of the community. [Mr. DIXON-HARTLAND: Hear, hear!] Apparently the hon. Member who has just sat down maintains that position, and is of opinion that the London County Council have interests in the matter which are opposed to the general interests of the community. Now, what are they? The County Council are the largest Representative Body in London; they are directly elected by the inhabitants of the Metropolis; they have jurisdiction over a frontage of 23 miles on each side of the river, and at this moment they have no direct representation on the Conservancy Board, while the City of London, with a frontage of only one and a half miles, is represented by seven Members. I will not stop to consider whether the representation of the City of London is excessive or only the proper amount of representation, but I would ask, that being the state of the case, upon what ground it can be said that the London County Council, representing such extensive interests, and charged with the responsibility of representing the wants and wishes of such a large portion of the community, can probably run counter to the general interests of the Metropolis. So far as the Metropolitan Sewage Scheme is concerned, as it at present exists, it has received the sanction of Parliament, and

the sewage itself is discharged into the Thames very much below the part of the river which we are considering now. I submit that the claim which the London County Council has preferred to having an increased representation of five members upon the Conservancy Board is simply a proper or fair recognition of the position they occupy. As regards the River Lea their claim is, in my judgment, even much stronger. I do not know a more disgraceful history than the history of the pollution of the River Lea, and I am satisfied that if the Council had had a share in the control of the river, and possessed representatives who were directly interested in maintaining the purity of the Lea, it would not have been reduced to the shocking position which it has occupied of late years in the lower parts of the river. I submit that the claim of the London County Council to have five seats on the Conservancy Board is moderate, just, and proper, and as they have no interests which are in conflict with those of the general public they ought not to be excluded from it.

*(3.50.) THE PRESIDENT OF THE BOARD OF TRADE (SIR M. HICKS BEACH, Bristol, W.): I desire to speak without prejudice in regard to the London County Council. I am glad that Parliament has entrusted to them the power they now enjoy, and I have no jealousy whatever of them. As far as I am concerned, I should be glad to see their interests fully represented on the Conservancy Board, but I cannot agree with what has fallen from the hon. and learned Gentleman the Member for Hackney (Sir C. Russell). In the first place I eannot admit that this question has been fairly considered, if by that term is meant the kind of consideration which Parliament in former years bestowed upon it. I can remember being a Member of a Select Committee on the Thames which considered the Bill of 1866, carried through this House by Mr. Milner-Gibson. Before the passing of the Act of 1864, a Select Committee of this House was appointed to consider how the matter could best be dealt with, and, in 1864, a Bill was brought in, I think, by the Government of the day. At any rate, it was a Hybrid Bill, and was considered by a Hybrid Committee, before whom all the interests affected were adequately heard; the same course being taken in 1866, and again two years ago, when a Select Committee, appointed at the instance of my hon. Friend the Member for Cricklade, considered the reform of the traffic on the Thames, and in the following year the conclusions of this Committee were embodied in a Hybrid Bill, and considered by a Hybrid Committee. Thus Parliament has determined, in dealing with the Thames, to treat it as a public matter, and not as one to be dealt with in a Private Bill. What has happened in this case? The London County Council, in the exercise of their judgment and discretion, have considered that they are injuriously affected by having no direct representative on the Board of Conservancy, and, therefore, in a private Bill ostensibly relating to very different subjects, they have introduced a clause to give them that representation. This was to be done by an ordinary Private Bill, by a Committee before whom only one witness was examined, and not a single word was heard from the rival interests of the Upper Thames, which possibly did not even know that the matter was being dealt with by Parliament. I myself have no fault to find with the Thames Conservancy, as at present constituted. I believe that it does its duty very well, but, on the other hand, I quite admit that there may be just arguments for the more direct representation of the inhabitants of London on that Board. At present, seven members are sent by the City, and four by certain trading interests, so that London has altogether a representation of 11 out of 23. This Bill proposes to extend the metropolitan representation to 16 out of 28. I confess that it appears to me that the proposal is not fair to the interests of the Upper Thames. What reason can there be for the representation of the London County Council upon this Board that does not equally extend to the Councils of other counties which border on the Thames? Essex, Surrey, Kent, Oxfordshire, Berkshire, Wilts, and Gloucestershire. I think that in these circumstances the wisest course will be for the House to decline to adopt the proposal contained in this Bill relating to this matter, and next year to appoint a Select Committee to consider the whole question of the conservancy of the Thames In that way the House would have all the riparian and other interests fully

awake to the necessity of taking care of themselves; complete evidence would be given in regard to the whole subject, and it would be able to arrive at a fair conclusion on a subject which has hitherto been treated as a public matter, and one which ought not to be dealt with by a private Bill.

*(3.55.) SIR J. BAILEY (Hereford): As Chairman of the Committee which considered the Bill, I wish to say a word in the first place as to the title of the Bill. When it came before the Committee it was a Bill "For the improvement and alteration of the Bridge over Bow Creek and Barking and to confer other powers." The Committee cut out of the Bill the question of a bridge between the London County Council and a neighbouring area, on finding that the County Council had not agreed with the neighbouring area. The title of a Bill, however, cannot, I believe, be changed when it has once come before the House. I certainly cannot altogether agree with the remarks which have fallen from my right hon. Friend the President of the Board of Trade as to what he says Parliament has done in regard to the Thames Conservancy, as I find that the original Conservancy Act was one of the few Acts concerning the Metropolis which was introduced as a private and not as a public Bill. In 1857 the Thames Conservancy Bill was introduced as a private Bill, and Sir E. May, in his chapter on private Bills, has pointed out that in 1874-5-6-7 Bills to give further powers to the Metropolitan Board of Works were passed as private Bills. With regard to the fact of only one witness having been examined, I may say that there had been another Bill before us, relating to the Conservancy, and we felt that we did not require much more evidence than that which had been given before that Committee. Therefore, when this Bill came before us we had no desire to hear many witnesses. The Thames Conservancy has been undergoing a perpetual change since it was first established. At first the Trinity House regulated the lower reaches, and the Corporation went up as far as Staines, while above that there was a heterogeneous body, consisting of all the authorities of the riparian counties, including Berkshire and Oxfordshire. An Act was then passed appointing 12 Conservators, seven representing the City of London, and five the Trinity House, the Lord High Admiral, and other interests, while, by a subsequent Act, representation was given to certain traders. When, by a later Act, representation was given to the traders, wharf owners and occupiers, ship proprietors, and so on, the control of the Upper Thames was united with that of the Thames below Teddington Lock, and four representatives were given to the upper portions of the river. An hon. Member sitting below me has spoken of the Board of Trade in this matter, and I should like to show what the opinion of the Board of Trade was. In 1867, when this matter was before the House of Commons, the Board of Trade wrote a letter in which they stated that it appeared to them to be desirable that the Metropolitan Board of Works—of which the London County Council is the successor—should be connected with and represented on the Thames Conservancy Board. That was the opinion of the Board of Trade in 1867. Since then, in the year 1888, the conservancy of rivers has been given to County Councils, and it seems to me absurd that this great municipality of London should be the only Connty Council not having some power of control over its own river. An hon. Member has said it is absurd to suppose that the London County Council can look after the river at Oxford, and in the upper reaches of the Thames. Then why should four Members from Oxford and Berkshire take part in the management of the tidal stream? Since the opinion of the Board of Trade was given in 1867, the Metropolitan Board of Works and their successors the London County Council have done an enormous amount of work in the valley of the Thames. They have control of the metropolitan bridges and embankments, which cost £22,000 or £23,000 a year, and upon which £2,500,000 have been spent. Most of the drinking water of London is derived from the Thames and the Lea, and surely the body which has the right to look after the health of the Metropolis should be represented on the Thames Conservancy. They have exclusive jurisdiction over a frontage of 21½ miles of the river, and I must say that I do not think any Committee upstairs could have come to any other conclusion

Sir M. Hicks Beach

than that a body having that enormous authority over the banks of the Thames are entitled to have some share in the management of that river.

(4.0.) EARL COMPTON (York, W.R., Barnsley): After the remarks which have been made by the hon. Baronet opposite, I think that very little further need be said on the subject. Therefore, I do not propose to detain the House for more than a minute or two. On the part of the County Council of London, I think I may say that they will hear with pleasure the promise which has been made by the President of the Board of Trade that there will be a Select Committee on the whole question next year. I think it would be of the greatest advantage to all concerned that the matter should be thoroughly threshed out and determined. In the meantime, however, I think it would be necessary to pass the measure now before the House, in order that the London County Council may be properly represented on this particular Board. As I understand the question, the only argument against giving representation to the London County Council is that if it is granted some evil must happen to the Thames. Now, no evil can possibly come of appointing five members out of 28, and the views of the London County Council would then be properly laid before the Board.

MR. DIXON-HARTLAND: The City of London already possesses seven representatives.

EARL COMPTON: I am only speaking about what is asked for in this Bill. All that is claimed is that the London County Council should have five representatives upon the Board. The hon. Member appears to foresee danger from the appointment of five Members, but I would ask what possible evil effect a small minority of five could have among 28. What harm to the river or the interests of the riparian owners could such a minority do? The only effect of acceding to the claim of the Council would be to secure that the views of the Council would be properly placed before the Board, and I cannot see why the Conservancy Board should be so very anxious not to have those views placed before them. There is one question I would like to ask, namely, whether Her Majesty's Government are unanimous in their opposition to this provision of the Bill? I have been given to understand that the President of the Local Government Board is distinctly in favour of it. I am sorry that the right hon. Gentleman is not in his place at this moment, but I hope that before the discussion closes we shall have the advantage of hearing his views. At present only one Member of the Government has spoken; he has opposed the Bill; not altogether, on its merits, but in order that a Select Committee may be appointed next year. Are we to understand, from the attitude of the right hon. Gentleman, that the Government wish their supporters to vote against the Bill, if it goes to a Division? As I believe that the President of the Local Government Board is favourable to the Bill, I think that he ought to give expression to his opinion, so that the Division may not be considered in any way a Party one. At the same time I know that a Whip has been issued to Members on the other side of the House, with a view of opposing this particular clause and certain other clauses which are about to be discussed. The supporters of the Bill have had no Whip of any kind. They think the justice of the case ought to be quite sufficient to secure a large majority in favour of the Bill, of those who have listened to the Debate after the plain and clear statement of the Chairman of the Select Committee. I think that no hon. Member who heard him can have the slightest hesitation in supporting the clauses which propose to give a representation to the London County Council upon the Thames Conservancy Board.

*(4.7.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): As the noble Lord has referred to me, I feel bound to say just one word upon the subject. The noble Lord is perfectly accurate in saying that I am distinctly in favour of the London County Council being represented on the Thames Conservancy Board. Having constituted a great body like the London County Council, it ought to have something to say with regard to a river which runs through so large a portion of its district; but as to whether or not the representation proposed in this Bill is too large—whether it is adequate or inadequate I do not express any opinion, and on that question I desire to withhold my opinion.

I think the course suggested by my right hon. Friend (Sir M. Hicks Beach) is the right and proper course. It is quite clear that if the London County Council are to be represented on the Board there will be claims for representation on the part of other County Councils through whose district the river runs; and that they also should have representation given to them. That, I take it, would be the view of the London County Council also; and that being so, I should deprecate the London County Council proceeding with these clauses this year, looking to the fact that the matter, by their own admission, is one that ought to be carefully considered by a Select Committee, with a view of settling the representation of the various interests concerned.

(4.10.) SIR W. HARCOURT (Derby): I am glad, at all events, that we have had the declaration of the right hon. Gentleman who has just sat down, that London has some interest in the River Thames, and that Representatives of London should have a voice in its management. I am very glad to find that one right hon. Gentleman sitting on that Bench holds that opinion.

*SIR M. HICKS BEACH: I said so, too.

SIR W. HARCOURT: Then I am glad to find that two Members of the Government have declared in favour of such representation. The question we have to vote upon now is whether we should upset the decision of the Committee which has sat upstairs. That is a very grave thing for the House to do. We hear a great deal as to the desirability of the process of delegation; but if we delegate duties of this kind, and then upset the decision arrived at, I am afraid we shall give the House more work to do than we shall escape by the delegation. On what ground is it proposed to reverse the decision of the Select Committee? I have heard none, except that the matter can be taken into consideration next year. I think it would be most inconvenient to appoint Committees and then to dispose of the result of their deliberations in this manner. The Chairman of the Committee in his business-like speech gave the reasons for the decision which the Committee has arrived at, and I have heard no arguments from the other side of the House which should induce us to upset that decision. Why, then, are we to overthrow the decision of the Committee? The President of the Local Government Board has alleged none. He has said, and said truly, that what this clause does, namely, to give a representation to the London County Council upon the Conservancy Board, is a proper thing. The acceptance of the representation of London proposed by the Bill does not exclude the representation hereafter of other County Councils on that Board. Nor is there any reason why we should delay doing justice to the Metropolis in the matter, because there is not yet a proposal before the House to give representation to other County Councils. It is perfectly possible to give representation to London—and London, after all, is the first interest so far as the Thames is concerned, both in regard to its trade, its water supply, and its population—and to take other claims into consideration hereafter. No doubt there are other important claims, but the claim of London ought not to be postponed until other bodies make theirs. There is nothing whatever in the present proposal to exclude Parliament, if it thinks fit, from giving representation to other bodies; but the first and primary claim is that of the County Council of London, and I hope that it will be affirmed by the House.

(4.12.) MAJOR RASCH (Essex, S.E.): I desire to oppose the claim of that august body, the County Council of London, in the interests of my constituents, the sailors and fishermen who ply their calling between Erith and the North Sea. They believe that their interests will be seriously affected by the adoption of Clause 22 of the Bill, and I should like to call attention to the circumstances which already exist, and of which they now complain. The London County Council, as the apostolic successors of the Metropolitan Board of Works, are responsible for the gigantic nuisance caused by the sewage work at Crossness, Barking. Sir Robert Rawlinson has stated that 150,000,000 gallons of sewage affluent are thrown into the River Thames daily. That, as was said by Lord Rosebery in his valedictory address to the County Council on the 23rd of April, was considered absolutely intolerable by the Metropolitan Board of Works, and they ordered the construction of two

steamers to remove the sewage sludge to the Nore. It is now in process of removal, not to the Nore, but to the fishing ground of my constituents 15 miles further down. Two schemes are before the Main Drainage Committee, both of which have the utmost terror for my constituents. One, is that Canvey Island should be filled to the brim with sewage, and the other that a canal 46 miles long should be constructed through the County of Essex to take the sewage out to Foulness and Shoebury, thereby entirely destroying the oyster fisheries of the Crouch, and also probably destroying one of the few flourishing towns of Essex, namely, Southend. I do not mean to say that the County Council are not right from their point of view; and choosing the line where they are likely to meet with the least possible resistance, they propose to go to Essex. My constituents, however, are determined to oppose this portion of the Bill to the full extent of their power.

(4.15.) MR. R. G. WEBSTER (St. Pancras, E.), who was indistinctly heard owing to loud calls for a Division, said: I think it may expedite matters if I make now the remarks I intended to make upon another clause of this Bill. Parliament has decided, after great care and deliberation, to provide a Board of Conservancy for the River Thames, and I do not think that the recommendation of a Committee, who only examined one witness, ought to be adopted. The witness who was called on behalf of the County Council — Mr. Haggis — was cross-examined by Mr. Littler, and being questioned as to whether the Council were not proposing mere theoretical legislation, he said he thought the river was more likely to be kept clear and pure by having the people of London represented on the Board than by excluding them. But with regard to the representation of the people of London, it is a well-known fact that the interests of the County Council and of the Thames Conservancy are sometimes diametrically opposed. It is said that the County Council have the management of the bridges. No doubt; but in constructing new ones and maintaining the existing bridges, it is often necessary to drive piles into the river, and the Thames Conservancy acts as a great check at present in preventing obstruction. Moreover, as has been pointed out by the hon. Member for Essex (Major Rasch), the sewage of London is, to a great extent, under the control of the County Council, and if they neglect to do their duty the Conservancy Board is able to bring pressure to bear upon them. If, however, you give the Council five representatives upon the Board, you will have men who will be able to act as judges in their own case. In my opinion, the best mode of dealing with the subject will be to relegate it to a Select Committee for examination next year, as suggested by the President of the Board of Trade. The House will then be in a position to legislate carefully for all the various interests at stake.

(4.20.) The House divided:—Ayes 164; Noes 191.—(Div. List, No. 176.)

(4.33.) MR. WEBSTER: After the decision of the House which has just been expressed as to the further representation of the County Council on the Thames Conservancy Board, I think it is unnecessary for me to enter at any length into the arguments which can be adduced against the Council having further representation on the Conservancy Board of the River Lea. I think the whole of the question of representation on the Thames and Lea Conservancy Boards should be considered, as was suggested by the hon. Member for Cricklade, by a Select Committee of the House, and therefore I do not propose to speak at any length on the point. I fully acknowledge that the state of the River Lea is, and has been, unsatisfactory for some years past, but how the presence of another representative of the County Council upon the Conservancy Board could effect any great change in the condition of the river I fail to understand. I beg to move the rejection of that part of the Preamble which relates to the Lea, and I appeal to hon. Gentlemen opposite not to put the House to the trouble of a Division.

Amendment proposed, in page 4, line 1, to leave out from the word "and," to the word "increased," in line 8, both inclusive.—(*Mr. Webster.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

*(4.34.) SIR J. LUBBOCK: I must confess that I am surprised by the action taken by Her Majesty's Government. By the reply the Government gave to the deputation which waited upon them the other day, we understood they were prepared to support these clauses. Last night I had an interview with my right hon. Friend the President of the Local Government Board, and I certainly understood from him that, although he was going to move for a Committee, the Motion would not interfere with his support of the clauses we have just been discussing. Had we known that the Government were going in the opposite Lobby and going to take their supporters with them, we should have thought it necessary to issue a whip, too. The clause, however, with reference to the Lea stands in a very different position to that which relates to the Thames, and I should like to know what Her Majesty's Government propose to do in regard to it? If they are going to include an inquiry into the Lea in the reference to the Committee they have proposed—[*Cries of* "No!"]—I am only expressing my own opinion—it would be useless to occupy the time of the House by going to a Division on the question of the Lea. I should imagine, however, that the Committee which is to inquire into the Thames will have quite enough to do, and I can hardly think Her Majesty's Government would propose to include the inquiry into the management of the Lea. If that is the case, I hope the President of the Local Government Board will support the London County Council and will resist the present Amendment. This is a large question, and the Bill has been very carefully inquired into by a Committee upstairs. The Bill is now in the form in which it left the Committee, and I hope that, notwithstanding the Division just taken, the majority of the House will support the decision of their own Committee.

*(4.36.) MR. RITCHIE: I am bound to say the right hon. Baronet (Sir J. Lubbock) has hardly dealt fairly with us as to what took place between himself and myself last night. The right hon. Baronet says that in the interview I had with him last night I conveyed to him an intimation that the Government were going to support the clause with regard to the Thames Conservancy. I went to see the right hon. Baronet with the view of expressing to him the contrary, and I told the right hon. Baronet that, after the interview I had had with the deputation from the London County Council, I thought it right he should know that it was extremely probable that the clause with regard to the Thames Conservancy would be opposed. I thought the right hon. Baronet understood that the object of the interview was to convey that, because he expressed his thanks to me for the intimation which I had given to him to that effect. The interview I had with the deputation of the London County Council was with reference to all the opposed clauses of the Bill. It is perfectly true I allowed the County Council deputation to infer or to believe that I was in favour of the representation of the London County Council upon the Thames Conservancy Board, but I certainly did not commit myself or my right hon. Friend, with whose Department this question more particularly lies, to an approval of the exact proposal made in the Bill. The only intimation I made was that I was in favour of that representation. This particular question, however, stands on a different footing. Something has been said about the water supply of London. If there is one river which the London people are more concerned about with regard to its purity than any other it is the River Lea. The London County Council have already got a representation upon the Conservancy Board of the Lea—a representation of one—and looking to the fact that a Committee of the House of Commons has considered that that representation ought to be increased from one to two, I shall certainly support the clause.

*(4.39.) SIR J. LUBBOCK: I only wish to say I am sorry I did not understand my right hon. Friend. I understood that the clause would be opposed, but not that it would be opposed by the Government. However, my main object was not to make any complaint, but to ascertain from the right hon. Gentleman the course which he proposed to take.

(4.40.) SIR W. HARCOURT: I do not propose to enter at all into the misunderstanding which appears to have arisen between the Government and their supporters on this side of the

House, but I want to thoroughly understand the attitude of the Government on the whole question, because it is one which deeply affects the people of the Metropolis, and one which, no doubt, they will follow with a very attentive eye. By the last Division the Government and their supporters resolved that London, through her County Council, shall not have a voice on the Thames Conservancy. [*Cries of* "No, no!"] That is what the Vote means. Now comes the question whether the Council shall have a voice in the management of the Lea, and the President of the Local Government Board says, "Oh, yes; they shall have a voice on the Lea, but not on the Thames"

*MR. RITCHIE: I did not vote.

SIR W. HARCOURT: If he did not, the whole force of the Government was used in the last Division—[*cries of* "No!"]—and the result of the Division was received with cheers by hon. Gentlemen opposite as a Party triumph. ["Who were the Tellers?"] I am stating that which is an undoubted fact.

An hon. MEMBER: A lot of the Members for London voted against the Amendment.

SIR W. HARCOURT: Yes; and it is not merely the Government on that side, but the Government on this side who voted against it. It was really a good Unionist Division. I saw it myself. I saw that it was a question whether the noble Lord the Member for Rossendale was to be told in the Lobby against the Amendment. ["Oh!"] I have a perfect right to refer to the fact; I have a right to state that I noticed it was a question whether the noble Lord should be polled in the Division against giving London, through the County Council, a voice upon the management of the Thames. Under these circumstances, and by these influences, London has been, for the present at least, refused that voice. Whether it will ever get it in the future we do not know. Whether there will be a combination to overthrow the decision of the Committee remains to be seen. What is the use of promising a Committee if you whip up a majority to overthrow the Committee's decision? What is the use of promising a Committee on this subject if you mean to treat the decision of the Committee with the contempt with which you have treated the decision of the present Committee? Now, having decided against the London County Council in regard to the Thames, on what ground does the right hon. Gentleman say London is entitled to a voice as regards the Lea? If you are to postpone the question as to London till next year, why not postpone the question as to the Lea as well? He says London is not dependent upon the Thames for its water supply. I have no doubt the right hon. Gentleman is right; but I thought a very great part—I even believed the greater part—of the water supplied to London is taken from the Thames above Kingston. I cannot understand, and it will be for the people of London to endeavour to understand, what is the ground that actuates the Government in refusing to London's representative body to-day a voice in the management of the Thames, and then coming forward and saying they are entitled to that voice in the case of the Lea.

*(4.45.) SIR M. HICKS BEACH: I do not think it would be easy to get into the space of time occupied by the right hon. Gentleman's speech a graver or a more absurd amount of Party. misrepresentation. In the first place, this was not a Party Division. Two Members of the Government voted in the opposite Lobby to myself. Some Members of the Government did not vote at all. One of the Tellers for the minority was a staunch supporter of the Conservative Party, and the right hon. Gentleman the Member for the University of London, and the Chairman of Committees, both leading Unionists, were in the opposite Lobby to us. Secondly, we do not oppose the principle of the representation of the London County Council upon the Thames Conservancy. What we contended for was that, before the principle was adopted by the House, the whole question of the representation of the other riparian County Councils should be considered as well. That I think the right hon. Gentleman will see, if he reflects for a moment, is the only reasonable and just course. It is not merely a matter of opinion. It is a course which the House has adopted for the last 25 years in dealing with the question of the government of the Thames. If such a Committee is moved for next Session my impression is that it is probable

that the Conservancy Body will be so re-modelled as to include the representation of the London County Council and the other County Councils. affected as well. But of one thing I am quite sure ; if this Bill had been passed this year, as it has been passed by the Select Committee, a larger representation would have been given to the Metropolitan interest out of the whole number than is likely to be given after full and impartial consideration. I have only to say now I entirely agree with my right hon. Friend in considering that the question of the conservancy of the Lea stands as it has always been regarded by Parliament on an entirely different basis to that of the conservancy of the Thames. I therefore trust that my hon. Friend behind me will not think it necessary to press his Amendment to a Division.

*(4.50.) MR. LAWSON : We do not know what the next Session may bring forth, and I should like to challenge the assertion of the right hon. Gentleman that the majority of his supporters on that side did not vote against the principle of the representation of the London Council on the Thames Conservancy Board. They struck out words in the Preamble, and, therefore, under this Bill there can be no representation of the London Council on that Board for the next year, or until the House has accepted the decision of the Committee in favour of such representation which may or may not be made. The course pursued by the Government, and I speak from the view of the County Council, and not from a Party standpoint, has been rather tortuous as well as unfortunate. The President of the Local Government Board told the deputation who waited upon him that he was in favour of all the clauses except that which dealt with juries, as to the desirabllity of which he was not quite certain. At the last moment, at the eleventh hour, when the Parliamentary Agent understood the Bill would not meet with opposition from the Government, or from the prominent Members of the Government, the right hon. Gentleman turns round and declares against the Bill on the ground put forward by the President of the Board of Trade. I do not know who the two Members of the Government were who voted in our Lobby, but I do not think they saw many of their supporters there. I am glad to think that my hon. and gallant Friend the Member for Sheffield (Mr. Howard Vincent) was a sufficiently staunch County Councillor not only not to repudiate the Council in this House, but to tell in favour of the Bill, and I regret that the other Conservative Members of the County Council were not present to take part in the Division.

*(4.52.) MR. SYDNEY GEDGE (Stockport): I propose to speak to the Amendment, and not to address myself to the question of the Division that has just taken place. There are a number of very delicate interests connected with the River Lea ; and in 1868 a Royal Commission, which considered the whole question, nicely balanced all these interests and apportioned the proper number of members on the Lea Conservancy Board to each. The number of members was fixed at 13, and care was taken to provide that no interest should be over-represented. This was confirmed by the Act under which the Lea Conservancy Board was constituted. It is possible that by lapse of time the arrangement then made may be properly disturbed, but, if so, it should only be after such a full inquiry as took place in 1868. Several times the Metropolitan Board of Works endeavoured to increase their representation on the Lea Conservancy Board, and several times Parliament refused to let them do so. We are now asked to disturb the present basis of representation merely because a Committee of four upstairs voted in favour of it. With all respect to the hon. Baronet who was Chairman of that Committee, those of us who are experienced in Committee work know that such decisions are often arrived at merely by the vote of the Chairman. The only reason that is given for the proposed change is that the representative of the County Council may be unwell or unable to be present. The same reasoning would apply to the other bodies that are represented, and there can be no more reason for giving the County Council two members instead of one than for giving the other bodies two instead of one.

*(4.54.) SIR C. RUSSELL : The right hon. Gentleman the President of the Local Government Board (Mr. Ritchie) affirmed that he was in

favour of the principle of the representation of the County Council, and did not express even a personal opinion that the representation claimed by the present Bill was an excessive or improper amount of representation. Yet the right hon. Gentleman did not vote in the Division. The right hon. Gentleman the President of the Board of Trade (Sir M. Hicks Beach) has now made it very clear what is the real attitude of the Government on the subject. The right hon. Gentleman has informed the Committee that he looks forward to the diminution, and not the increase, in the future of the representation.

*SIR M. HICKS BEACH: Including the remainder.

*SIR C. RUSSELL: But he holds to the opinion that that would be too large a representation of the London County Council. So far as the representation of the other bodies is concerned, there is no division of opinion on this side of the House. We ask that all the interests concerned in the River Thames shall be represented upon the Board; but how can this question of re-modelling the Conservancy Board be injuriously affected in any way by the acceptance of the just claim now made by the County Council? As regards the question of the River Lea, I do not know whether the right hon. Gentleman the President of the Local Government Board spoke for the Government or not. It is desirable to know whether he did or did not. If he did, I will not prolong the discussion. Of course, if he was not justified in speaking in the name of the Government it will be necessary to justify the view taken by the Committee upstairs; but, for the present, assuming that he was representing the views of the Government, I do not propose to trouble the House further.

(4.56.) MR. R. G. WEBSTER: I beg leave to withdraw up to line 13 of the Amendment.

*MR. SPEAKER: The omission was only moved up to line 8.

Amendment, by leave, withdrawn.

(4.57.) MR. R. G. WEBSTER: I beg now to move the omission of lines 13 to 18 inclusive.

*MR. SPEAKER: I must observe that lines 14 to 18 embrace matters of very wide divergence. They include the building powers of the County Council, and the powers relative to the supply of water and to the markets of London.

(4 58.) MR. R. G. WEBSTER: Then, with the permission of the House, I will move the omission of lines 13 to 15 inclusive. My remarks on this Amendment shall be very brief. It appears, Sir, that by these lines various changes will be made in the Building Acts of London. Some of these changes are very desirable, and if they become law will be very useful. My objection to them is that they should be introduced by means of a Private Bill. I think it is quite contrary to the practice of Parliament that such provisions should be inserted in Private Bills, and I would point out the great difficulty that will be caused to architects, surveyors, and other persons interested in buildings in London if we allow the London County Council to introduce various changes in the Building Acts through the instrumentality of a private measure. At present there is before a Committee, presided over by the right hon. Gentleman the Member for Bridgeton (Sir G. Trevelyan), a public Bill introduced by the London County Council. I think it would be a very proper thing if these provisions were removed from this Bill, with which they have practically nothing to do, and put into the public Bill, so that they may be discussed in all their bearings. It is an extremely inconvenient thing to have these Bills shot into the House of Commons by the County Council, with provisions in them which, if adopted, would make the legislation of this House very confusing indeed. I therefore ask that these provisions should be taken out of this Bill and referred to the Committee on the Public Buildings of the Metropolis.

Amendment proposed, in page 4, line 13, to leave out from the word "and," to the word "forth," in line 15, both inclusive.—(*Mr. Webster.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

*MR. RITCHIE: I hope that the House will not assent to the proposal which has just been made. I think the object of my hon. Friend in moving the omission of these lines is to cut down a Bill

which will give the London County Council some controlling power with regard to the manner in which public buildings in the Metropolis shall be erected. I have gone carefully through all these clauses, and I have had them examined by my professional adviser; and though perhaps they may be open to some improvement, yet on the authority of the information I have received I say that every one of them is a great advance on the existing law, and I therefore hope that the House will not cut them out.

(5.1.) SIR W. HARCOURT: I am extremely glad to hear the language held by the right hon. Gentleman. It is language too rare on the other side of the House. Public attention is a good deal occupied at present with the question as to how the time of the House of Commons is being spent. I hope it will be noted what is the subject to which Her Majesty's Government and their supporters have devoted this afternoon. There has been an attempt to overthrow, clause by clause, the decision of a Committee upstairs upon a private Bill. That is the sort of occupation which they think most fit for the House of Commons. The object is apparent. It is to cut down as much as possible—of course, I am not speaking of the right hon. Gentleman, because that has never been the spirit in which he has spoken or acted—and to refuse to the County Council, as representing the City of London, the only possible power and authority which affects the interests of the inhabitants of London. Everybody knows that that is the spirit of the opposition to this Bill. That is the spirit which dictated the Division just taken, the object of which was either to refuse the power altogether or, as the right hon. Gentleman the President of the Board of Trade said, at least to cut down the number of the County Council representatives on this body.

*SIR M. HICKS BEACH: The right hon. Gentleman will excuse me, but that is not what I said. I pointed out that there were already seven Members sent by the City to the Conservancy Board, and I suggested the proposed increase of members from the County Council in addition to those members was hardly fair in the interests of the Upper Thames.

*MR. SPEAKER: Order, order! I hope the House will not stray from the Amendment before it, which relates to further provisions for buildings.

SIR W. HARCOURT: If hon. Members choose to have these Debates they must not object if we take part in them. It is not we who raised this discussion. We should have been extremely glad to have assented to the decision of the Committee. We have asked you to abide by it; but clause by clause, and section by section, hon. Members opposite have tried to defeat it. A great deal of time has already been spent on this matter. I hope that now hon. Members opposite will take the advice of the right hon. Gentleman the President of the Local Government Board, and allow the House to come to a decision on it.

(5.5.) MR. BAUMANN (Camberwell, Peckham): I will not follow the right hon. Gentleman in the somewhat acrimonious line of debate he has adopted; but I think that the President of the Local Government Board has entirely misunderstood the intentions of the proposer of the Amendment. His intention is not to cause certain clauses relating to buildings in the Metropolis to disappear altogether, but it is to cut them out of this Bill, for the purpose of tacking them on to a Public Bill called the Metropolis Management and Building Acts Amendment Bill. I submit that Clauses 33 and 34, which are governed by this part of the Preamble which it is now proposed to omit, might be very appropriately transferred to the Bill I have mentioned, because it deals with practically the same subject—it deals with kindred matters. I think that for the public convenience, for the convenience of those who have to follow these Acts of Parliament, and for the simplification of the law, it would be a very desirable thing indeed to have these clauses relating to buildings in London—which, as my hon. Friend has pointed out, really have no proper place in this Bill—taken out of it and moved in the form of a new clause in the Public Bill standing in the name of the right hon. Baronet opposite. I have reason to know that some of the authorities of the House are in favour of the transposition of these clauses as suggested; and I therefore hope that the House will give a candid and impartial consideration to the change, which I, for

one, certainly advocate in no spirit of hostility or obstruction, but merely for the convenience of the public and the simplification of our Statute Law. If the Amendment is carried, I shall put down the clauses thus cut out as new clauses to the Public Bill.

*(5.8.) SIR J. LUBBOCK: The hon. Member said he wished the clauses to be referred to the Committee sitting upstairs on the Metropolis Management and Building Acts Amendment Bill. But there is no Committee sitting on that Bill. The Committee has reported the Bill to the House. I do not deny that there might be some convenience if the clauses could be incorporated in that Bill; but I am not encouraged to adopt the course suggested by the hon. Member, because he himtelf blocked that Bill last night.

MR. BAUMANN: I hope the right hon. Baronet will allow me to explain that I blocked the Bill in order to await the result of this discussion. If these clauses are cut out of this Bill I shall put down a Motion to re-commit the public Bill for the purpose of tacking them on to it.

*SIR J. LUBBOCK: If the hon. Member really wishes that these clauses should be inserted in that Bill, surely his course last night should have been to move the re-committal of the Bill. But, exercising his rights as a private Member, he simply blocked the Bill when it came on after 12 o'clock. I am afraid that if I were to adopt his suggestion now these clauses, which everybody admit to be valuable ones, would be lost altogether. Under these circumstances, I hope the hon. Member will withdraw his Amendment.

*(5.12.) MR. H. LAWSON: I am afraid that the zeal of the hon. Member for the simplification of the law will only lead to blocking Metropolitan business. If his suggestion were adopted, the probability is that these clauses would not pass into law this Session at all. I originally moved the Second Reading of the Bill, and it was impossible to negotiate with hon. Members opposite, who refused to allow the Committee stage to be taken. But now the state of public business is such that it is highly improbable the enemies of the London County Council in this House will allow it to pass a further stage. It would therefore be unwise to excise these clauses from the Bill now before us, in order to get them inserted in the other Bill.

*(5.13.) MR. MURDOCH: I think that in the interests of builders, surveyors, architects, and others, it would be well to adopt the suggestion of my hon. Friend, as it would simplify matters very much if all clauses relating to buildings in the Metropolis were to be found in one Bill. We are now discussing the London County Council Bill, but there is nothing in the title which will enable surveyors, architects, builders, and others to know that it contains clauses which affect their business. It would be far better to have all these provisions in one Bill.

*(5.14.) MR. RITCHIE: I have on hand at the present time a Bill consolidating the law with regard to all these matters in London, and I hope soon, by means of it, to place in the hands of all concerned a complete list of the provisions affecting them.

(5.15.) MR. J. ROWLANDS (Finsbury, E.): I am very pleased to hear the statement of the right hon. Gentleman as to consolidating the Bill with regard to buildings in London. I rose for the very purpose of making such a suggestion. I think at the present time, if hon. Members believe these clauses are of importance, the best plan will be to allow them to pass. To agree to such an Amendment as this when we are approaching the middle of July, and to attempt to transfer them from one Bill to another, as to which there is a strong probability that it will not pass into law, will not certainly be a wise course to pursue. It is, I think, a very ingenious mode of getting rid of the clauses altogether. Those who have a deep interest in the welfare of the Bill have nothing to gain by this proposed transference.

*MR. R. G. WEBSTER: After the declaration of the right hon. Gentleman the President of the Local Government Board I beg to ask leave to withdraw my Amendment. ["No, no."]

Question put, and agreed to.

*(5.16.) MR. R. G. WEBSTER: With regard to Clause 32, which exempts members of the County Council from jury service, I certainly could not imagine any men better qualified to sit on juries. It is also slightly anomalous that in one

and the same Bill, amongst its multifarious contents, are found the County Council asking for fresh duties in one clause, and in the next exemption from those duties which, in common with the vast majority of citizens, they are occasionally called on to perform. As I understand, however, the contention is that their public duties are already very onerous, I will not propose my Amendment for the omission of that clause.

*MR. SPEAKER: The decision just come to by the House negativing the proposal to omit lines 13 to 15 in the Preamble gives the sanction to Clauses 33 and 34, which will therefore stand part of the Bill. It is not competent, therefore, to move their omission.

Another Amendment made.

Bill to be read the third time.

QUESTIONS.

COLONIAL POSTAL RATES.

MR. LENG (Dundee): I beg to ask the Under Secretary of State for the Colonies whether he will lay upon the Table of the House a statement showing the internal rates of postage on newspapers and printed matter in the various colonies of the British Empire as at 1st January, 1890?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): The information cannot be furnished by the Colonial Office or Post Office with completeness; but if the hon. Member wishes it shall be obtained by a Circular Despatch to the different colonies. The replies will not be received during the present Session; and perhaps the hon. Member will communicate with me if he thinks it necessary that such a Circular should be sent.

CUSTOM HOUSE MESSENGERS.

MR. J. R. KELLY (Camberwell, N.): I beg to ask the Secretary to the Treasury whether any Memorial has been recently received by the Treasury from the established messengers at the Custom House, praying for the redress of certain grievances; and whether, if so, he will state when a reply to it may be expected; whether the Commissioners of Her Majesty's Customs have recently decided to fill only each alternate vacancy to the first-class messengerships; whether he will state the reason for which two vacancies in such class have remained unfilled; and whether, in view of the fact that the whole of the second-class messengers entered the Service under the conditions set forth in the Treasury Minute of 1st April, 1873, giving them the right of rising to the maximum of £90 per annum, he will take the necessary steps for the carrying out of such Treasury Minute?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I have made inquiry, and I cannot find that the Memorial from the messengers of the Customs has been received at the Treasury. Copies of such a Memorial have been forwarded to the Treasury; but, according to the well-known rules of the Service, the signed original must be presented before the prayer of the Memorial can receive attention.

HIRED CLERICAL ASSISTANTS.

MR. J. R. KELLY: I beg to ask the Secretary to the Treasury if he will state the greatest number of men who have been employed in any one week during the last three months upon clerial duties in the various Government Offices and whose services have been hired from both Messrs. Waterlow and Messrs. Vacher; whether such men have been paid regular daily or weekly wages by Messrs. Waterlow and Messrs. Vacher respectively, or only for the hours during which their services may have been required in the Government Offices, and whether, if he has no information on the subject, he would cause inquiries to be made on the subject; whether he can state if it is the practice of both Messrs. Waterlow and Messrs. Vacher to make a profit of from 15 to 20 per cent. on the sums paid to them in respect of the daily services of such men, and whether, if he is unable to do so, he will cause inquiries to be made on the subject; and whether the practice of so hiring men through agents for work in Government Offices is not in direct opposition to the opinion expressed in the Report of the Playfair Commission?

MR. JACKSON: I am unable to give the detailed information as to law stationers clerks for which the hon. Member asks. I am not aware that the

Playfair Commission expressed any such general condemnation of the practice of employing these clerks as the hon. Member attributes to it; but however that may be, the Treasury have not contemplated the permanent employment of law stationers clerks in Government Departments; but assistance of this kind must be procured for temporary purposes from time to time to meet emergencies.

ST. GILES'S, CAMBERWELL.

MR. J. R. KELLY: I beg to ask the President of the Local Government Board whether the Vestry of St. Giles's, Camberwell, are acting in excess of their powers in ordering and enforcing the making of structural alterations to the drains of houses built in their district in 1877 under the sanction of their officer and that of the City Architect; and whether if in so acting the Vestry, while complying with the letter of the Nuisances Removal Act of 1855, are violating the real intent and spirit of the provisions of that statute?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I have communicated with the Vestry of St. Giles's, Camberwell, but I have received no such information as to the facts as would enable me to come to any conclusion on the subject. Moreover, the matter is one in which the Local Government Board have no jurisdiction whatever. I gather that the Vestry consider that they are proceeding in accordance with the provisions of the Nuisances Removal Acts. I am not aware whether an order of Justices has been made in the matter, but assuming that such order has been made there would be an appeal to the Court of Quarter Sessions against the decision.

CONSTANTINOPLE HOSPITAL DUES.

COLONEL HILL (Bristol, S.): I beg to ask the Under Secretary of State for Foreign Affairs whether, considering the grievance to which British shipowners have been subjected, owing to the present mode of collecting the Hospital dues in the ports of Constantinople and Smyrna, attention to which was promised many weeks ago, he will now state the decision of Her Majesty's Government in respect thereto?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The Treasury have agreed to a reduction of the Constantinople Hospital Dues from ½d. a ton to 1d. per three tons from the first convenient date. No proposal for reduction of the Smyrna Hospital Dues is before Her Majesty's Government.

LIVE STOCK AND INCOME TAX.

MR. BROOKFIELD (Sussex, Rye): I beg to ask the Chancellor of the Exchequer whether it is the case that an owner and occupier of land can be charged Income Tax under Schedules A and B, when the only profit he derives consists in the enhanced value of his live stock; and whether increased value of live stock is held to constitute "profit" before such value has been realised?

MR. JACKSON: Yes, Sir; the owner and occupier of land may, under certain circumstances, be charged Income Tax under Schedules A and B, when the only profit he derives consists in the enhanced value of his live stock before such value is realised. If, for instance, an occupier were to hold over lambs or other stock produced in the year, the increased value of his stock must be brought into the profit and loss account. The question whether such increased value constitutes profit or not is for the District Commissioners.

IRELAND—MR. KIRKWOOD, J.P.

MR. CRILLY (Mayo, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if Mr. William R. Kirkwood, of Killala, County Mayo, still holds the Commission of the Peace for that county, or, if he has been dismissed or superseded, what are the reasons which prompted the taking of this course?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I am informed that Mr. Kirkwood has been suspended by the Lord Chancellor from the discharge of Magisterial duties, pending inquiry and decision as to certain charges which have been brought against him with reference to the discharge of his duties as a Magistrate.

RICHMOND DISTRICT LUNATIC ASYLUM.

MR. W. J. CORBET (Wicklow, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been drawn to an inquest held on Friday last at the Richmond District Lunatic Asylum, Dublin, into the death of Christopher O'Connor, who had for 40 years held appointments in the Criminal Lunatic Asylum at Dundrum, and had risen to the rank of head attendant, which he held for over 20 years; whether he has observed the conflicting medical evidence given at the inquest, Dr. Ashe, Resident Physician of the Criminal Asylum, stating—

"He knew a case in which a patient's ribs gave way of their own account without any violence;"

Dr. Nolan, Senior Assistant Physician of the Richmond Asylum, testifying that

"the injuries could not have been sustained by a man lying quietly in his bed;"

and Dr. Thomas Myles, who made a special post-mortem examination, deposing

"he found the deceased had fracture of four ribs on the right side and two on the left. Three of the ribs were broken in two places, two of them, the sixth and seventh, were driven into the right lung. . . . From the nature of the injuries to the ribs witness concluded they were due to a great crushing force recently inflicted, and probably at the same time. Deceased could not have inflicted the injuries on himself;"

whether he is aware that death from broken ribs is a common occurrence in lunatic asylums; whether his attention has been called to the finding of the Jury, that—

"Death was due to the fracture of the ribs, two of which perforated the right lung, the injuries being caused by violence, and that they had no evidence to show how this violence occurred. They recommended the widow and children of the deceased to the consideration of the Treasury on account of his long and faithful services;"

and will the recommendation of the Jury be given effect to?

MR. A. J. BALFOUR: The Inspectors of Lunatic Asylums report that the newspaper statements in regard to the evidence given are misleading. There were no reporters present on the first day of the inquest, and the Inspectors are now awaiting copies of the depositions called for by them. The statements in paragraphs 3 and 4 appear to be correct. The recommendations of the Jury will receive consideration, but the Inspectors understand that the man died possessed of considerable property.

THE MIDLAND RAILWAY COMPANY AND HOUSES FOR THE WORKING CLASSES.

MR. WEBSTER (St. Pancras, E.): I beg to ask the Secretary of State for the Home Department whether he is aware that, during the past few years, the Midland Railway Company have acquired in St. Pancras large areas under compulsory powers, and that, in consequence, 23,000 of the working classes have had their dwellings taken down, and been obliged to leave that district of London; if he is aware that, within the last few months, a total of 37 houses have been demolished in Somers Town, St. Pancras, occupied by about 325 individuals, chiefly belonging to the working classes, and that these houses were acquired by arrangement from Messrs. Salter, Issott, and Salter, and sold to the Midland Railway Company prior to the 15th of last December, the date when private Bills have to be scheduled, and that a demolition of houses which would cause the removal of nearly, it is estimated, 2,000 other residents in St. Pancras is contemplated; and whether he will cause steps to be taken that, in case of any future demolition of houses used by the working classes in St. Pancras, the provisions of the Acts are all duly enforced, and suitable dwellings are erected for those evicted?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am not in possession of the exact figures showing what has been the actual result of the Bills promoted by the Midland Railway Company during the last few years. The schedule of the Bill now before Parliament shows that houses inhabited by 2,050 persons may be demolished. The Bill, however, not only provides, in compliance with Standing Orders, for the re-housing of persons displaced under the powers of the Bill, but a special provision has been inserted at the instance of the Home Office by which the usual clause as to replacing demolished working-class dwellings is extended, not only to houses acquired compulsorily under the powers

of the Bill, but to houses acquired by agreement. So far as Parliament gives me power in the matter, I will not fail to have regard to the interests of the working classes who may be disturbed under schemes promoted by the Railway Company in question.

THE ACCOUNTANT BRANCH OF THE NAVAL SERVICE.

MR. BRADLAUGH (Northampton): I beg to ask the First Lord of the Admiralty whether he can state the number of officers and writers on board Her Majesty's ships, and the highest and lowest pay in each class; whether the duties are almost identical and in the largest part performed by the writers; when the last inquiry was made into the condition of the Accountant Branch of the Naval Service; and whether he will consider the advisability of abolishing the present expensive officer class of Accountants?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The number of Accountant Officers and Writers on the list on the 1st April, 1890, were respectively:—Accountant Officers, 455; Writers, 279: and the highest and lowest pay in each class is:—Accountant Officers—Fleet Paymaster, £602 5s. 0d.; Assistant Clerk, £45 12s. 6d.: Writers—1st class, £91 5s. 0d.; 3rd class, £36 10s. 0d. It is entirely a mistake to describe the duties of Accountant Officers and Writers as identical. The Accountant Officer has frequently to perform work of a highly important and confidential nature, and he is not only entrusted with the management of the official work afloat, including the duties of cashier, but he also has charge of the Ship's Steward and his staff. The condition of the Writers was the subject of an inquiry by a Committee in 1888, but no change was then recommended. The Accountant Branch was inquired into in 1869 and 1870, and some further alterations were made in 1873; and quite recently the subject has been under the consideration of the Board, with the result that it has been found necessary to increase the number of Paymasters and Assistant Paymasters.

DEATH FROM STARVATION AT WOOLWICH.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the President of the Local Government Board if he will make inquiries as to the death by starvation of a man (unknown), on Friday last, in a common lodging house in High Street, Woolwich; whether he has observed that Dr. James Watson deposed before the Coroner that, in his opinion, the death was due to starvation, and that the Jury found accordingly; and if he has any more information as to the death by starvation of Elizabeth Barrett?

*MR. RITCHIE: I have no information as to the alleged death from starvation in a common lodging house in High Street, Woolwich, but I will make inquiry with regard to the case. With respect to the case of Elizabeth Barrett, I have not yet received from the Coroner a copy of the depositions. As soon as it is received I will consider whether it is necessary to communicate with the Guardians on the subject. I am not at present in a position to give the House any further information respecting the case.

"BARRY *v.* BALL."

MR. FLYNN (Cork, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the fact that the civil action of Mr. Thomas Barry, P.L.G., against D. J. Ball, is fixed for trial on Thursday next, the 10th instant; if he is aware that Mr. Barry is now confined in Cork Gaol as a bail prisoner for the alleged offence arising out of the proceedings in connection with which the civil action is being brought against the District Inspector; and whether the Prison Authorities will produce Mr. Barry, or cause him to be produced, in Court on Thursday, in order that he may give evidence in support of his own cause of action?

MR. A. J. BALFOUR: As this question appears on to-day's Paper without previous notice, I have been unable to obtain a Report on the matter of fact referred to in the first paragraph. The General Prisons Board report that the prisoner mentioned is at present in Cork Prison for refusing to give bail in respect to an

assault, but whether in connection with the case referred to in the question they are not aware. The Prisons Board have no power to act as suggested in the last paragraph; but it is open to the bail prisoner's advisers to obtain a writ of *habeas corpus*, which would be at once complied with.

*MR. FLYNN: In view of the fact that the civil action is to be tried on Thursday next, and that this man had this charge sprung suddenly upon him, I want to ask the right hon. Gentleman whether he thinks it too much to telegraph to Ireland to instruct the Constabulary Authorities to take the necessary steps to allow this man to be heard as a witness in his own civil action?

MR. A. J. BALFOUR: There is a perfectly well understood form of procedure by which this gentleman can get permission to attend.

MR. SEXTON (Belfast, W.): But might not this gentleman be saved the expense of going through that form by the Lord Lieutenant?

MR. A. J. BALFOUR: I should very much doubt if we have power to do that.

LLANCAIACH STATION.

MR. A. THOMAS (Glamorgan, E.): I beg to ask the President of the Board of Trade whether he will take the necessary steps in order to have the recommendations of Colonel Rich carried into effect, which he made in his Report of 21st August, 1889, on the dangerous state of the Llancaiach Station of the Great Western Railway?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): Since the date of Colonel Rich's Report a new station at Treharris has been opened. The Board of Trade are informed by the Great Western Railway Company that they are waiting to see the effect upon the traffic of the opening of the new station before deciding either to improve the existing Llancaiach Station or to remove it altogether. The Board of Trade have no authority to make any requirements in the matter.

HELIGOLAND.

MR. PICTON (Leicester): I beg to ask the Under Secretary of State for Foreign Affairs whether, before this House is called upon to assent to any Bill for the surrender of Heligoland to Germany, full information will be afforded as to all territorial engagements not hitherto communicated to Parliament, also as to any new responsibilities (if any) recently incurred by this country in the event of war breaking out on the Continent of Europe, and especially as to the present relations of Her Majesty to what is known as the Triple Alliance, or to the engagements for mutual support made between Germany, Austria, and Italy?

*SIR J. FERGUSSON: I have already informed the House that Her Majesty's Government have entered into no new engagements or responsibilities, and their attitude in regard to other Powers has been frequently and plainly defined both in this and in the other House of Parliament.

COUNTY COURT RETURNS.

MR. ARTHUR O'CONNOR (Donegal, E.): I beg to ask the Secretary to the Treasury why the usual annual Returns relating to County Courts, of Remitted Actions, Plaints, and Sittings, have not yet been presented, and when they will be in the hands of Members?

*MR. JACKSON: I have made inquiry about this Return. I believe that really it is a Home Office Return, and it has been usually moved for by a private Member. It has not yet been moved for this Session, but I think it is just about ready, and I will endeavour to place it on the Table.

BECHUANALAND.

MR. BAUMANN (Camberwell, Peckham): I beg to ask the Under Secretary of State for the Colonies what jurisdiction Her Majesty has in the Bechuanaland Protectorate; by what right, or under what Instrument, the Administrator of Bechuanaland can compel chiefs in the Protectorate to consent to the construction of a telegraph line across their territories against their will; and whether the British South Africa Company, in taking over the work of constructing a telegraph through the Protectorate from the Government, is bound to carry it out under the conditions imposed by the Charter?

BARON H. DE WORMS: Her Majesty has an inherent jurisdiction over British subjects, and has the usual authority

possessed by a European Sovereign who assumes the duty of protecting native African chiefs against violence. Further details as to Her Majesty's powers, especially over whites, will be found in a series of Instruments executed by the chiefs at the time Sir Charles Warren visited them in 1885. These Instruments are printed at pages 45 to 48 of the Blue Book C 4,588 of 1885. The right to make the telegraph is not based on any Instrument, but on the natural right of the protecting Power to do all things essential to the safety of the protected area. The Company is, no doubt, bound to respect the provisions of the Charter in all that it does; but it is not perceived how the Company in laying a telegraph-wire can infringe any provision of the Charter.

THE CASE OF JOHN MORRISSEY.

MR. CLANCY (Dublin Co., N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether John Morrissey, arrested and imprisoned on the 31st March last, under an order of the County Court Judge of Kildare, is still in gaol; whether he is aware that Morrissey was arrested and imprisoned for contempt of Court in not having obeyed an injunction to remove certain huts erected on the holding of a Mrs. Kelly for the shelter of evicted tenants; and whether Morrissey was in any degree bound to carry out the injunction referred to; and, if not, whether he will take into consideration, in case Morrissey has not yet been released, the advisability of now releasing him from prison?

MR. A. J. BALFOUR: This question appears to relate to the case of Michael Morrissey, who was committed to prison on 21st March for contempt of Court, by order of the County Court Judge of Kildare. Morrissey was bound to obey the injunction. It has been open to him at any time to obtain his immediate release by purging his contempt of Court.

MR. T. M. HEALY: I appeal to the right hon. Gentleman whether, knowing the facts of this case, and that this unfortunate man is only the husband of the niece of the tenant, and has no power of obeying the injunction of the County Court Judge, the Government will interfere and order his release?

MR. A. J. BALFOUR: If I rightly understand the hon. Member his contention is that this man has no power to purge his contempt of Court or to obey the injunction. But the hon. Member must be aware that I have no power to interfere in cases of contempt of Court.

MR. T. M. HEALY: But the Government have already interfered by releasing the tenant and her niece. The County Court Judge only sits once in three months, and this man will have to remain in prison till October unless the Government interfere.

MR. CONYBEARE (Cornwall, Camborne): Does not the right hon. Gentleman recollect that three years ago the Home Secretary interfered in the case of an Englishman imprisoned for contempt in one of the Western counties?

MR. A. J. BALFOUR: I think that is an error. My right hon. Friend denies that he did interfere.

MR. T. M. HEALY: But, as a matter of fact, the Government have interfered in this case by ordering the release of the tenant and her niece. Do the Government intend to keep this man, who has already been in gaol four months, under detention for a further period, although there is no possibility of his going before the County Court Judge for some months to come?

MR. A. J. BALFOUR: If the Government find it part of their duty to review the sentence they will, of course, do so.

MR. CLANCY: I may, perhaps, mention that at the last Quarter Sessions the County Court Judge was asked to release the woman and refused to do so.

THE FINN VALLEY RAILWAY.

MR. DALTON (Donegal, W.): I beg to ask the Secretary to the Treasury whether he has received from the Finn Valley Railway Company a resolution of their Board, stating that they are "prepared to work the extension railway from Stranorlar to Glenties at cost price"; and whether, in view of his statement that the Government attach great importance to satisfactory arrangements for working being made, if possible, with existing Railway Companies, now that this Company have proposed satisfactory arrangements for working this extension, he will state whether the Government are prepared now to forward the Stranorlar and Glenties line?

*MR. JACKSON: Yes, Sir; I received yesterday a copy of the resolution mentioned from the Secretary to the Finn Valley Railway Company. Inquiry will be made and the proposal considered, but I cannot at present express any opinion upon it.

THE PUBLICANS' PETITION.

SIR W. LAWSON (Cumberland, Cockermouth): I beg to ask the hon. Member for Walsall whether he intends to take any further steps with regard to the Petition "presented on 26th June, by the hon. Member for the Ripon Division of the West Riding of Yorkshire, from inhabitants of Great Britain and Ireland," in favour of the Compensation Clauses, seeing that the Select Committee on Public Petitions report—

"That many of the signatures are in the same handwriting, that some few names are fictitious, and that a very small number are obscene, and they are of opinion that the Orders of the House have not been complied with."

SIR C. FORSTER (Walsall): The Committee of Public Petitions have found that the Petition recently presented by the hon. Member for the Ripon Division of the West Riding of Yorkshire in favour of the Licensing Clauses of the Local Taxation Bill contained 611,342 signatures. The Committee have gone carefully into the matter, and have discovered that while 7 per cent. of the signatures are in the same handwriting, others are obscene. These facts, no doubt, detract from the value of the Petition, but the Committee are of opinion that they do not afford sufficient grounds for its rejection, especially as it was so numerously signed.

SIR W. LAWSON: Are we to understand that 40,000 of the signatures were in the same handwriting?

SIR C. FORSTER: I have given the hon. Baronet all the information in my possession.

IRISH POOR RATE COLLECTORS.

MR. W. ABRAHAM (Limerick, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to resolutions adopted by Poor Rate Collectors in Ireland, with reference to the onerous duties imposed on them in connection with carrying out the provisions of the Franchise Act, for which no remuneration is provided; and if he can hold out any hope of remedial legislation in the near future?

MR. A. J. BALFOUR: The attention of the Irish Government has been called to the resolutions referred to, and, as I have already stated, I am quite ready to introduce a Bill to meet the cases of the Poor Law officials where they are at present insufficiently remunerated for their duties under the Franchise Act, if assured that the Bill will meet with the general assent of all Parties in the House. Since making that statement I have received no assurance to that effect. I am, however, prepared to bring in a Bill; but it must be understood that it can only be passed as an unopposed Bill.

IRISH PRISON LIBRARIES.

MR. CONYBEARE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that under the rules of the General Prisons Board a prisoner is only allowed to have one book out of the library per month, and that this rule is rigorously enforced, whether the book contains 100 or 1,000 pages; whether there is any sufficient reason for this limitation; and whether he will direct that prisoners who are entitled to have the use of books from the prison library shall be allowed to change such books as often as they may need to, provided that such permission is not abused in the sense of spending in reading time which should be otherwise employed?

MR. A. J. BALFOUR: The General Prisons Board report that the number of volumes in the prison libraries is not fixed, but varies according to the average number of prisoners. New books are added to the libraries each year, as a rule. The sum allowed by the Treasury for the purchase of new library books each year is at the rate of 1s. 3d. per prisoner of the daily average number of prisoners. The annual expenditure, therefore, varies from year to year, and cannot be exactly stated without reference to the Stationery Office. It is contrary to practice to allow any books to be introduced other than those provided in the manner above described; but if special cause were shown the practice would, no doubt, be relaxed?

MR. CONYBEARE: In view of the fact in my own experience that the prisoners find it very difficult to get books renewed, and are not able to change even small books for a whole month, I ask will the right hon. Gentleman give the Governors of gaols greater latitude in this matter?

MR. E. HARRINGTON (Kerry, W.): Will the right hon. Gentleman inquire as to the practice in this matter in English prisons? Will he ascertain whether books are not more frequently issued in those prisons; and will he consider the desirability of more frequently issuing them in Irish prisons, so long as the prison tasks are not interfered with?

MR. J. O'CONNOR (Tipperary, S.): Will the right hon. Gentleman issue instructions for prisoners to be allowed a complete work instead of only one volume at a time?

MR. A. J. BALFOUR: I can only say that the practice which obtains in English prisons is similar to that in Irish gaols.

MR. CONYBEARE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can state what number of volumes is as a rule contained in the gaol libraries of the Irish Prisons, how often the books are renewed, and what sum annually is spent in furnishing them; and whether, if donations of books were received from charitable persons, the General Prisons Board would allow them to be added to the prison libraries? I will also ask the right hon. Gentleman whether he cannot see his way to giving prisoners a greater choice of works, seeing that they are now mainly supplied with the lives of saints, and that such works are seldom in harmony with their religion?

MR. A. J. BALFOUR: The General Prisons Board report that the frequency with which library books are issued to prisoners depends, according to regulations, on a prisoner's length of sentence and class. Those in the second-class receive a new book every month, those in the first-class, who have spent above 12 months in prison, receive a new book when required, while those in the lower classes receive only one book during two months or six weeks. The rule is generally strictly enforced; but as regards the size of the book, which is selected by the prisoner himself, if it turns out to be of very small size, the Governor sometimes allows him to exchange it for a larger. The present regulation is based on the principle of increasing a prisoner's privileges, by a graduated scale, according to his conduct and industry and the length of his sentence. The Prisons Board informs me that it has worked satisfactorily.

CLONMEL GAOL.

MR. CONYBEARE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is the fact that the warders in Clonmel Gaol have to perform the following severe duties every ninth week, namely, that they commence work every morning at 4 a.m., and cease work on three days at 10 p.m., at 6.30, and 8.30 p.m. on the other days; what is the number of the staff in the said prison; what is the average number of prisoners confined therein; whether there is any special reason why the warders should have such long hours of duty; and whether he will cause such an addition to the staff to be made as will relieve them of this grievance?

MR. A. J. BALFOUR: The General Prisons Board report that, owing to the construction of Clonmel Prison, the cook-house being detached from the main building, it is necessary that an officer should rise each morning at 4 o'clock in summer, at 5 o'clock in winter, to light the fires. The Governor, however, reports that this duty (which in other prisons where the cook-house is under the main roof can be performed by the night guard) takes only about five minutes, after which the officer can return to his room till 6 a.m. The duty falls to each warder only one week in every 11, not as stated in the question. Only a small proportion of officers is kept on duty till 10 p.m., half the staff being allowed off duty in turn at 6.30 p.m., and the rest at 8.15 p.m. In addition to the Governor, Chaplain, Medical Officer, and Clerk, there are 13 subordinate offcers in this prison. The daily average number of prisoners for the year ended 31st March last was 94·7. The reason why the warders have very occasionally to rise at an early hour is given in the first part of the reply; but it is not the fact that the hours of duty in this

prison are, on the whole, exceptionally long. On the contrary, the Governor, who has had experience of several other prisons, reports that he does not know of any prison where the officers have less cause of complaint on this ground or where the Sunday half-holiday, or the alternate evenings relief from duty, is more strictly observed. Under these circumstances, it is not considered necessary to increase the staff of this prison.

MR. CONYBEARE: Is the right hon. Gentleman aware that in Derry Gaol the hours of duty were 6 a.m. in the summer and 7 in the winter. Why, in this prison at Clonmel, should the hours be longer except for duty in the cook-house?

MR. A. J. BALFOUR: I gather that that is the only reason.

THE LOCAL TAXATION BILL.

MR. RANKIN (Herefordshire, Leominster): I beg to ask the First Lord of the Treasury whether he will take into his consideration the propriety of allocating the amount which had been set apart for the extinction of licences to County Councils, for the purpose of creating and assisting a County Pension Fund for old age, established either as a separate County Fund, or carried on by the agency of Friendly Societies?

MR. J. R. KELLY: I beg to ask the First Lord of the Treasury whether he has considered, and, if not, will consider, the advisability of utilising the £350,000, which was to have been devoted by the County Councils to the extinction of public house licences, for the purpose of making provision for the superannuation of the teachers in all elementary schools, whether Board or Voluntary schools?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): In answer to the questions of the hon. Members for Leominster and North Camberwell, I can only repeat that the Government will carefully consider all proposals relative to the disposition of the Fund intended for the extinction of licences.

MR. SEXTON: Can the right hon. Gentleman give an intimation as to how soon the Amendments are likely to be put down?

Mr. A. J. Balfour

*MR. W. H. SMITH: I am not able to give any indication at present.

THE CENSUS.

MR. J. KELLY: I beg to ask the First Lord of the Treasury whether the Government has considered the advisability of providing in the forthcoming Census Bill for the taking of the census quinquennially in future; and whether he will state to the House when the Census Bill may be expected to be introduced?

*MR. W. H. SMITH: We hope to introduce the Census Bill very shortly, and I think I must ask my hon. Friend to wait until then for details as to his proposals.

HELIGOLAND.

MR. CHANNING (Northampton): I beg to ask the First Lord of the Treasury whether he is aware that the 4th Article of the Capitulation of Heligoland in 1807 provided that the inhabitants should not be molested in their privileges, and that the 10th Article of Capitulation stated that it is one of the privileges of the inhabitants of the island not to be obliged to serve on board kings' ships contrary to their inclinations, and guaranteed that privilege to the inhabitants in the future; whether any time limit was assigned to this guarantee of privileges; and whether Her Majesty's Government have stipulated in the Anglo-German Convention that Germany shall be bound to maintain the privileges thus guaranteed by England in 1807?

*MR. W. H. SMITH: The provisions of the Articles are accurately stated. There is no record of any time limit. By paragraph 3 of the 12th Article of the Agreement all natives of Heligoland and their children born before the date of the signature of the Agreement are free from the obligation of service in the military and naval forces of Germany; and by paragraph 4 of the same Agreement it is provided that native laws and customs now existing shall remain, as far as possible, undisturbed.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): I wish to ask, in connection with this important question, whether the right hon. Gentleman will lay on the Table of the House the Capitulation to which reference has been made?

*MR. W. H. SMITH: I will inquire if that can be done.

MR. SUMMERS (Huddersfield): I have a Motion on the Paper for the production of the Articles of Capitulation, and I believe it is not opposed.

MR. CHANNING: Are we to understand that the privileges guaranteed without time limit in 1807 are not restricted, and, to some extent, violated by the imposition of the time limit under the Anglo-German Agreement?

*MR. W. H. SMITH: I have stated that the privileges in question are guaranteed to all persons now living, and I think we have gone as far as we could in the circumstances.

*MR. CHANNING: I have one more question. In what position will those Heligolanders, who under the second section of the 12th Article of the Agreement exercise the right of option of retaining their British nationality, be placed? Will their children born after the Treaty be in the same position as the children of Heligolanders who do not exercise that option?

*MR. W. H. SMITH: I think it must be clear to the hon. Gentleman that that is a question of a legal character, of which notice ought to be given.

MR. SUMMERS: I beg to ask the First Lord of the Treasury whether the confidential Report of the Military Authorities with regard to the strategical value of Heligoland has been shown by him to the hon. Member for Preston; and, if so, whether he will consent to lay upon the Table of the House a Copy of this Report, as well as Copies of those portions of the evidence given before the Royal Commission on Colonial Defences, which were instanced by Lord Knutsford on 30th March, 1885, as proving that persons of experience were of opinion that Heligoland was of strategical value to this country?

*MR. W. H. SMITH: I did show the hon. Member for Preston a confidential Report by the Military Authorities relative to Heligoland, and there is nothing unusual in such a proceeding. As I said on the 26th ult., I cannot consent to lay on the Table confidential Reports of our military advisers.

MR. SUMMERS: Will the right hon. Gentleman show this Report to other Members?

*MR. W. H. SMITH: That depends on the circumstances of the application. I have no objection, as a rule, to show confidential Reports to hon. Members when that confidence is not likely to be abused.

MR. SUMMERS: Perhaps I may be allowed to read the following passage from a letter written by the hon. Member for Preston to one of his constituents. He says—

"As the cession to another Power of any portion of British territory, especially in Europe, is a very important matter, I may say that, having been shown by Mr. W. H. Smith, with his usual kindness and courtesy, a confidential Report of our Military Authorities, I have no doubt whatever on that score as to the wisdom of the Agreement recently concluded."

I wish to ask, therefore, whether the right hon. Gentleman will show this Report to other Members?

*MR. W. H. SMITH: I regret that letter was written. I think that when a confidential Report is shown confidentially to an hon. Member of this House, it is an error in judgment to refer to the contents of that Report.

*MR. CHANNING: I should like to ask the right hon. Gentleman, with reference to the second part of the question of my hon. Friend, whether the Government will adopt the usual course, where a Minister of the Crown has referred to evidence in support of his statement, of laying the evidence on the Table?

*MR. W. H. SMITH: It is not the usual course to lay on the Table the evidence on which the Ministers of the Crown act in matters of this kind. I think the hon. Member has, in his question, put the statement of Lord Knutsford too high. What he did say was, that there were some persons who entertained a different view as to the strategical value of Heligoland, and I answered a question in the House to that effect some few days ago. There is hardly a single thing on which some person cannot be found to differ.

MR. BRYCE (Aberdeen, S.): The right hon. Gentleman has left the question in some obscurity. I will ask whether, as the right hon. Gentleman has shown this communication to an hon. Member on his own side of the House, he intends to refuse to show it to an hon. Member sitting on the other side;

or whether he will show it to hon. Members on this side as well?

MR. T. M. HEALY: I may ask the right hon. Gentleman whether he conceives that the error of judgment lay with the hon. Member for Preston, or with himself?

*MR. W. H. SMITH: I think it is quite possible that the error of judgment may have lain with me, but I think also that my hon. Friend committed an error of judgment in referring in writing to a confidential Paper. I think it is undesirable that the hon. Member for Aberdeen should put to me a question of the character of that which he has asked. I have always been prepared to show confidential Papers of importance to hon. Members sitting in any part of the House. I have not drawn a distinction between hon. Members opposite and Members on the Government side; but now that this Paper has been referred to, I must exercise my own discretion as to whether or not it is right that I should show it.

MR. CLANCY: I would ask the right hon. Gentleman whether we are to understand that, in his opinion, there are hon. Members in this House who, if shown a confidential Report, would betray his confidence?

*MR. SPEAKER: Order, order!

MR. CONYBEARE: How, in the absence of this confidential communication bearing on the strategical value of Heligoland, is the House to come to any proper decision as to whether it is right for this country to give up Heligoland or not?

[No answer was given.]

MINING ROYALTIES.

MR. CONYBEARE: I beg to ask the First Lord of the Treasury whether it is the fact that, under the terms of the Reference to the Royal Commission on Mining Royalties, the Commissioners find themselves absolutely precluded from making any suggestions or recommendations whatever; whether it was the intention of the Government in framing the terms of the Reference to preclude them from making any recommendations in accordance with the evidence which might be adduced; and, if so, why; whether it is the usual practice in appointing Royal Commissions to limit them to the mere hearing of evidence; and whether he will consider the advisability of at once extending the scope of the Commissioners' functions to insure that some useful and practical result may accrue from their labours?

*MR. W. H. SMITH: The terms of the Reference to the Royal Commission on Mining Royalties were very carefully considered, and were communicated to Parliament before they were embodied in the Royal Warrant, and no suggestion has been made by the Commissioners that they find them to be inadequate. There is nothing unusual in the appointment of Commissions to investigate a question of this intricate character and to report the facts.

MR. CONYBEARE: I should like to ask whether, when the Government moved the terms of that Reference, they intended that the labours of the Commission should be absolutely without result?

*MR. W. H. SMITH: I am not prepared to enter into an argument with the hon. Gentleman.

LABOUR IN INDIA.

MR. HOYLE (Lancashire, S.E., Heywood): I beg to ask the Under Secretary of State for India if the Government of India accepts, and will apply to, the regulation and limitation of the hours of labour in mines and in factories, the principles to which Her Majesty's Government assented at the Conference recently held on the invitation of the Emperor of Germany?

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): There has not yet been time to obtain a reply from the Government of India to the Despatch of the Secretary of State dealing with the labour regulations, and I must ask the hon. Member to repeat the question.

MR. HOYLE: I will certainly do so.

INDIAN RAILWAYS.

MR. GROTRIAN (Hull): I beg, in the absence of the hon. Member for Central Hull, to ask the Under Secretary of State for India whether the Government of India propose to hand over the Tirhoot State Railway to the Bengal and North Western Railway; (2) whether, inasmuch as the Tirhoot State Railway is owned by the Government of India and

returns about 7 per cent. on the capital invested, and the Bengal and North Western Railway is a private company and returns only 2½ per cent. on the invested share capital, he can explain for what consideration the Government of India is surrendering a valuable dividend paying investment; (3) whether the Tirhoot State Railway was to have been handed over to the Bengal and North Western Railway in March or April last, and whether the reason why the transfer was not then made was because the Bengal and North Western Railway insisted upon the Government completing the extension, then in progress, from Durbungah to the town of Seetamarhi; (4) whether this transfer is against the advice of the Bengal Government, and the Government of India, and against the wish of the inhabitants (Europeans and Natives) of North Behar, through which the Tirhoot line runs; and (5) whether Government will re-consider its determination?

*SIR J. GORST: The answer to the first paragraph is in the affirmative, but for management only, and for the purpose of securing economy and efficiency. (2) The answer to the second paragraph is that the last year's earnings of the two lines were not as stated in the question, but were for the Bengal and North Western Railway 4·18 per cent., and the Tirhoot State Railway 4·62 per cent. The division of profit between the Government and the company will be in proportion to their respective capitals. (3) The answer to the third paragraph is in the negative. (4) To the fourth paragraph, yes, so far as the Government of India is concerned. It was at first in favour of, and afterwards against, the arrangement. (5) The answer to the last paragraph is in the negative.

MR. A. O'CONNOR: Is the North Western Railway to obtain an equal division of the profits for the working of the line?

*SIR J. GORST: I must ask for notice of that question.

SIR G. CAMPBELL: Are we to understand that this line has been handed over to a company having its headquarters in London, contrary to the view of the Government of India?

*SIR J. GORST: I have answered the question, and the hon. Member must draw his own conclusions from the answer.

SHIP COMPOSITION.

SIR ROPER LETHBRIDGE (Kensington, N.): I beg to ask the Secretary to the Admiralty who is the officer responsible for the selection of the compositions that are ordered from time to time to be used on the bottoms of Her Majesty's ships; is this officer an expert, and what previous technical experience and education has he had to qualify him for this important duty; and by whom was he appointed, for how long, and has the appointment been sanctioned by the Treasury?

THE SECRETARY TO THE ADMIRALTY (Mr. FORWOOD, Lancashire, Ormskirk): In reply to the first part of the question, the Controller of the Navy; to the second, the Controller is not an expert in the literal sense of the word, but he has large experience, and has the advantage of a most competent officer specially deputed to watch the result of compositions applied to ships of the Navy, and those of the Mercantile Marine. The Controller's assistant in this matter was appointed by the First Lord in April, 1888. Treasury sanction has not been obtained.

IRELAND—MR. T. W. RUSSELL, J.P.

MR. CLANCY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether there is any precedent for the appointment of Mr. Thomas W. Russell to the Commission of the Peace for the County of Dublin, he being unconnected by property, residence, or otherwise, with any district in that county; and, if not, why such a precedent was set in the case of Mr. Russell?

MR. A. J. BALFOUR: I am informed that it is no uncommon practice for a gentleman living on the border of one county to be placed on the Commission of the Peace for the adjoining county, although he has neither a residence nor property in that adjoining county.

MAGISTRATES IN THE COUNTY OF DUBLIN.

MR. CLANCY: I beg further to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will state the number of Catholics and the number of non-Catholics who were in the Commission of the Peace for the County of Dublin on the 31st August, 1886, and

the number of Catholics and the number of non-Catholics appointed Magistrates for that county since that date?

MR. A. J. BALFOUR: I am informed that no official record is kept of the religion of Magistrates; but according to the Return presented to Parliament on August 27, 1886, the number of Magistrates in the County of Dublin was stated to be 339, of whom 106 were believed to be Roman Catholics, 230 to belong to other denominations, and the religion of three was unknown. Since then 53 ordinary Magistrates (not including the military officers placed temporarily in the Commission for military purposes) have been appointed for the County of Dublin, of whom eight are believed to be Roman Catholics, and the remaining 45 to belong to other denominations.

THE TIPPERARY MAGISTRATES.

MR. J. O'CONNOR: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that it was appointed to hold a Petty Sessions Court at Ballyporeen, County Tipperary, on the 1st instant, and that a large number of litigants assembled at the Court House on that day in order to have their cases heard; whether it is a fact that the Magistrates did not attend, although two Resident Magistrates held a Court under the Criminal Law Procedure Act on the day before at Fermoy, within easy distance of Ballyporeen; and whether he will make inquiries, and, if necessary, give instructions that Courts shall be attended by Magistrates at appointed times, so as to accommodate the public?

MR. A. J. BALFOUR: I am informed that on the occasion referred to the Resident Magistrate in whose district the Petty Sessions are held was prevented from attending through illness, and as a local Justice who attends these Petty Sessions very regularly happened not to attend on that occasion, they fell through. Any public inconvenience which may have been occasioned is much to be regretted. As regards the suggestion in the second paragraph, there does not appear to have been any reason to anticipate on the previous day that the Petty Sessions would fall through, and the Resident Magistrates who were at Fermoy left that place upon their duty there being completed. Every effort is made to secure that sittings of fixed Petty Sessions shall not be disarranged by reason of the non-attendance of a Magistrate.

THE BAILING OF PRISONERS.

MR. J. O'CONNOR: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that on 24th June, at the Clonmel Quarter Sessions, two young men, named William Ryan and Joseph Ryan, were ordered to be released on bail; whether four Magistrates of the county, named respectively Messrs. Richard Bagwell, Gerald Fitzgerald, Albert Quinn, and Mr. Hemphill, on being applied to successively, refused to go to the prison, which was quite near, for the purpose of having the prisoners released, although the sureties produced the perfected bail bond, and although it is necessary a Magistrate should attend under the circumstances; and whether he will inquire from the above mentioned gentlemen if they declined to perform their Magisterial duties; and, if so, why?

MR. A. J. BALFOUR: I am informed that the first Magistrate applied to declined taking bail, as he was not satisfied of the sufficiency of one of the sureties. The other three Magistrates were applied to and they declined, not knowing anything of the securities. The bail was then completed before Mr. J. V. Guery, J.P. As a matter of fact, no practical inconvenience was sustained by the prisoners, as their bail was completed about two and a half hours after the application was first made.

MR. J. O'CONNOR: May I ask whether the Resident Magistrate or the Magistrate in the case has the power of decision as to whether the securities are sufficient or not?

MR. A. J. BALFOUR: Before I answer that question, I should have notice of it. My belief is that the Magistrate has power to decide.

THE CASE OF MR. JOHN LYONS.

MR. ROCHE (Galway, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that in the case of Mr. John Lyons, a merchant of Portumna, and three other men, at present undergoing a sentence of two months' imprisonment with hard labour for the alleged intimi-

dation of James Mitchell, Mitchell, when produced as a witness by the Crown, swore that he did not know any of the defendants; that they had never intimidated him, or attempted to do so, and that they had never in any way attempted to induce him not to buy Dillon's hay; and if he will consider the advisability of releasing these men from prison?

MR. A. J. BALFOUR: As already stated in reply to previous questions, the case referred to had a careful hearing, and the evidence was fully considered before the Court of First Instance, and subsequently before the County Court Judge on appeal. On the facts of the case, therefore, there appears to be no ground to interfere with the course of the law. It is, however, of course, open to the prisoners to memorial the Lord Lieutenant in the usual way should they so desire.

MR. ROCHE: The Chief Secretary has not answered my question, which was, "Whether Mr. Mitchell, when produced as a witness by the Crown, swore that he did not know any of the defendants, that they had never intimidated him, or attempted to do so, and that they had never in any way attempted to induce him not to buy Dillon's hay." Did Mr. Mitchell make that statement in Court or did he not?

MR. A. J. BALFOUR: I think in answer to the previous question of the hon. Member, I declined to discuss before the House the evidence given in a case of this kind.

THE GUARDS.

MR. CUNINGHAME GRAHAM: I beg to ask the Secretary of State for War if his attention has been directed to the statement in the evening papers of the 7th, given on the authority of the Press Association, and if he will make inquiries as to the alleged refusal of the Guards, on Monday morning, to turn out for parade?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The reports of this occurrence given in the Press are much exaggerated. No doubt there was some dissatisfaction in the battalion at being ordered to attend a parade yesterday morning, and for a short time most of the men failed to appear on parade at the time fixed. The whole of them were afterwards paraded for duty, and were marched off in perfect order to their several guards and duties. Special inquiry is now being made into the circumstances.

*MR. CUNINGHAME GRAHAM: Can the right hon. Gentleman tell the House how it happened that the War Office yesterday seemed not to have information which was in possession of the daily Press? I would also ask whether he can account for the seeming discrepancy between the statement which he has now made and the statement made by the Prime Minister in another place this evening with reference to the same affair?

*MR. E. STANHOPE: As to the second question of the hon. Member, I have no explanation to make, as I have not heard the statement of the Prime Minister. In reply to the first question I admit that I ought to have been informed of this occurrence yesterday. The truth of the matter is that the Military Authorities were holding an inquiry, and desired to complete it so as to give me the result. I thus came down to the House accidentally unprepared to answer the question that was put to me.

*MR. CUNINGHAME GRAHAM: I wish to ask, with reference to the statement of the Prime Minister in the House of Lords—["Order!"] This is a very serious matter. Is the right hon. Gentleman aware that the Prime Minister seemed to attach much greater importance to this question than he appears to do? So far from trying to explain away matters——

*MR. SPEAKER: Order, order!

*MR. CUNINGHAME GRAHAM: Oh, all right.

SIR FREDERICK CARINGTON.

MR. LABOUCHERE (Northampton): I beg to ask the Under Secretary of State for the Colonies whether Sir Frederick Carington is in command of the armed force, organised by him for the Chartered British South African Company, that accompanies the mining expedition of that company into Matabeleland; whether Sir Frederick Carington is now an officer in Her Majesty's Service; what is the object of the armed force, and against whom is it intended to protect the mining expedition; whether Lobengula has expressed his assent to this

inroad of an armed force into his territories; and whether, in the event of this assent not having been given, Her Majesty's Government will direct the armed force to withdraw, so as to prevent a collison between it and the forces of Lobengula?

BARON H. DE WORMS: My answer to the first part of the hon. Member's question is, No. Sir F. Carington remains in the Bechuanaland Protectorate. The answer to the second paragraph is in the affirmative. The object of the armed force of the Company, which, as I have before stated, is not commanded by Sir F. Carington, is to keep up communications between the Protectorate and the Company's settlements, and to guard Matabeleland against encroachments. Lobengula has assented to the entry of the Company's expedition into his country, and, therefore, the contingency contemplated in the last paragraph of the question has not arisen.

EGYPTIAN DECREE AGAINST BRIGANDAGE.

MR. LABOUCHERE: I beg to ask the Under Secretary of State for Foreign Affairs whether he has seen the Egyptian Official Gazette, of 16th June, in which it is reported that a Decree against brigandage has been submitted by the Khedival Government to the Legislative Council, in which the following punishments against brigands are decreed, in conformity, "as set forth in the Preamble of the Decree," with the dispositions of the sacred law (rite Hanapte) in vogue in all countries depending on the Ottoman Empire: amputation of the right hand and left foot followed by capital punishment; amputation and crucifixion; amputation, capital punishment, and crucifixion; capital punishment and crucifixion; crucifixion alone; capital punishment alone; and that the penalty of crucifixion is thus defined in the Decree—

> "Two parallel and transversal bars are attached to a post at some distance from each other. The post thus furnished is fixed perpendicularly in the ground. The arms of the victim are then stretched out on the upper bar and the feet on the lower bar. Thus attached, his left breast is pierced with a lance, which is worked round in the wound until death takes place;"

and whether Her Majesty's Government will use its influence with the Khedival Government to prevent the infliction of such punishments?

*SIR J. FERGUSSON: The Decree proposed by the Khedival Government contained no such provisions, but the majority of the elected Members of the Legislative Council voted for an Amendment declaring that the law of the Koran prescribed them as the proper penalties for brigandage. This vote does not bind the Egyptian Government, and there is not the slightest chance of their adopting such measures.

EXCISE DUTIES.

MR. T. M. HEALY (Longford, N.): I desire to know what steps have been taken by the Government in order to ascertain the views of hon. Members from Ireland with reference to the allocation in Ireland of the money released by the dropping of the licensing clauses of the Local Taxation Bill. Does the right hon. Gentleman the First Lord of the Treasury intend to take any step calculated to ensure a general assent to the proposals of the Government?

*MR. W. H. SMITH: When our proposals are made I trust they will be such as will meet with general consent. I cannot at the present moment say more than this.

MR. PARNELL (Cork): But we desire to know whether the right hon. Gentleman will undertake to ascertain the opinions of the Irish Members on this matter.

*MR. W. H. SMITH: A good many suggestions have already been made from the Benches opposite.

MR. SEXTON (Belfast, W.): Do the Government intend to make their proposals without any previous consultation with the Representatives of the Irish people?

*MR. W. H. SMITH: I am not in a position to give an answer to the question at present. I may say, however, that I will endeavour, as far as possible, to learn the views of hon Members.

BUSINESS OF THE HOUSE.

MR. CAUSTON (Southwark, W.): May I ask the right hon. Gentleman what facilities he is prepared to give for making progress with the measure relating to Water Companies' charges?

*MR. W. H. SMITH: I am sure the hon. Member must know that in the present state of business it is impossible for me to offer facilities for any Bill.

MR. CLANCY: I beg to ask what Vote will be taken in Supply after the Constabulary Vote?

MR. A. J. BALFOUR: The Vote for the Lord Lieutenant and the Chief Secretary, and after that the other Votes in their order. If, however, hon. Members below the Gangway have different views, I shall be glad to hear them.

SELECTION (STANDING COMMITTEES).

Sir JOHN MOWBRAY reported from the Committee of Selection; That they had added to the Standing Committee on Law, and Courts of Justice, and Legal Procedure, in respect of the Police Bill, the following Fifteen Members, namely: Mr. Baumann, Mr. Bolitho, Mr. Burdett-Coutts, Mr. Causton, Mr. Coddington, Mr. Samuel T. Evans, Mr. Henry H. Fowler, Sir Julian Goldsmid, Mr. Hoyle, Mr. Lawson, Mr. Pickersgill, Mr. Storey, Mr. Howard Vincent, Mr. Wharton, and Mr. Whitley.

IRISH SOCIETY AND LONDON COMPANIES (IRISH ESTATES).

Ordered, That the Select Committee on Irish Society and London Companies (Irish Estates) have leave to hear Counsel (to such extent as they shall think fit) upon the matters referred to them.—(*Mr. John Morley.*)

HELIGOLAND.

Address for "Copy of Articles of Capitulation of Heligoland in 1807."—(*Mr. Summers.*)

MESSAGE FROM THE LORDS,

That they have agreed to,—Working Classes Dwellings Bill, without Amendment; that they have passed a Bill, intituled "An Act to declare and amend the Law of Partnership." [Partnership Bill [Lords.]

ORDERS OF THE DAY.

SUPPLY—CIVIL SERVICE ESTIMATES, 1890-91.

Considered in Committee.

(In the Committee.)

CLASS III.

Motion made, and Question proposed,

"That a sum, not exceeding £889,490, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1891, for the expenses of the Royal Irish Constabulary."

*(6.16.) MR. SHAW LEFEVRE (Bradford, W.): Sir, this is the first occasion for many years that the Vote for the Irish Police has been taken at a reasonable period of the Session. The usual course for past years has been to postpone them to a very late period of the Session, when Members of this House were jaded, and when only the Irish Members were present to take part in the Debates. I think the change which has been made is a necessary one, especially as the Vote on the present occasion must give rise to many and serious questions relating to the police. I think it is impossible for anyone who has followed the course of the police in those districts of Ireland where disputes exist between landlords and tenants, not to perceive that their action during the last two years has become more arbitrary, more violent, and more insolent. I will not blame the Force itself for that. I believe it is in the main due to the impulse which it receives from head quarters. The Force is formed of the most splendid material that is to be found in Ireland. When years ago the Force was re-organised by Sir Thomas Drummond, it was converted into a highly organised and sensitive body. It was the boast of Sir Thomas Drummond that it was a most delicate instrument, which responded at once to the slightest impulse which he gave to it. But at that time he brought it into harmony with public opinion in Ireland, and made it an impartial arbiter between the different interests of that country. If its condition is changed, as at the present time, it is due to the impulse which has been given to it during the last three or four

years by the present Government, and the present Chief Secretary. So far from being now in harmony with public opinion in Ireland, it is distinctly not in harmony with public opinion in that country. Instead of being impartial it is of a partisan character, and is generally to be found, is always to be found, ranged on one side of the social disputes which exist in that country. I say that the change is due to the policy of the Chief Secretary, and due to his violent speeches in this House. Such a speech as we listened to from him last night produces the very worst effect in Ireland on the action of the police in every part of that country. Sir, I think the change in the attitude of the Irish Police is due to the policy and tone of the Chief Secretary. Take as an illustration what recently occurred in the town of Tipperary, where at meetings, alleged to be illegal by the Government, a vast number of people were cruelly batoned by the police. The reasonable and proper course, if these meetings were illegal, would have been to allow the meetings to take place, and to arrest the leaders of the Party who were engaged in promoting and speaking at them. A few months ago the course taken by the Government would, undoubtedly, have been to arrest the hon. Members for Mayo and North-East Cork, to prosecute them, and obtain their conviction, and to treat them after the manner of criminals. But the Chief Secretary has ascertained by experience that that kind of policy does not commend itself to the English constituencies. As a result, there can be little doubt that the word has been given to the police in Ireland not to arrest men of this class at such meetings, but to endeavour to put down meetings by force, and by brutally batoning the people. I say this is an illustration of the kind of way in which the police are now encouraged in their violence, and also of the change of policy which has taken place. Then we come to the case of "shadowing," to which so much attention has been given already in this Debate. After the speech of the Chief Secretary it cannot be for a moment doubted that the system of shadowing is due to the Chief Secretary himself, and is imposed by him upon the police. It may be that in the past, under Lord Spencer, there was a certain watching of murderous criminals or persons suspected of murder—watching from a distance, which was not likely to lead to a breach of the peace, and which, for my part, I cannot doubt must be necessary under any circumstances of society. But the shadowing which has been taking place of late has been of a totally different character, different in type, and devoted to a different class of persons. We learn now, from numerous answers given by the Chief Secretary on this subject, that shadowing is of two kinds. There is, first, shadowing carried on in the shape of dogging the steps of Members of Parliament and others at some distance; but still near enough to show that they are pursued by the police. And, secondly, there is the process which may be called the heel and toe shadowing, in which an officer is at the side of the person shadowed, while another is close behind. This last system of shadowing is of a monstrous character. The Chief Secretary endeavoured to explain that English Members and visitors from England have never been shadowed in Ireland during the last few months. He said it was an hallucination on their part. What he said did take place was this. Visitors went over to Ireland and found themselves in bad company, and, being in bad company, found themselves under the same shadow as their friends. And, with his usual sneer at the hon. Member for Leicester, he asserted that no instructions had ever been given to shadow these visitors, and that it was a mistake on their part to suppose that they had been shadowed. For my part, I utterly dispute the statement of the right hon. Gentleman. I believe it to be absolutely unfounded. It is merely an afterthought to escape from an ignominious position. I can say, from my own experience, and from information I have received from the best quarters, namely, from the police themselves, that it is not true. I do not wish again to intrude my own experience in this contemptible matter before the House; but I may say that on two occasions in Ireland I was closely watched by the police, who dogged my steps. They came within a short distance of me, and listened to what I was saying to the people by the side of the road. I challenged the police on the subject, and on both occasions they told me that they had direc-

tions to pursue me and dog me in this manner. My experience has been that of numbers of Members of this House, of three ladies—Lady Sandhurst and others—and of numerous people connected with various Liberal Associations, and of the gentlemen who were sent over as representatives of the Somersetshire Association by my hon. Friend the Member for one of the divisions of that county. Occasionally, most ludicrous mistakes are made. I gave letters of introduction not long ago to a young friend of mine who happened to be a Tory candidate for a Tory constituency at the next General Election. He took over to Ireland with him another friend, who is candidate for another Tory constituency. They delivered one of my letters to Father Keller, and he tells me that they were both of them shadowed in the closest manner during the whole time they were in that district. I say these things are ridiculous and contemptible, and they ought to be put an end to. One of the best evidences that this shadowing is by the direction of the Government is this. When there was a deputation from the Home Rule Union to Ireland, orders were given by the Government that these particular people, connected with the deputation, were not to be shadowed, and, in point of fact, they were not shadowed, and a distinction was made between them and other persons of the same kind. With reference to the other kind of shadowing which has been alluded to in the course of the Debate, and which the Chief Secretary referred to, the heel and toe shadowing, it is of a much closer and more irritating character than that to which I have been adverting. With regard to it, the Chief Secretary endeavoured to show that it had only been carried out in the case of men who were themselves shadowing others, for the purpose of preventing them selling their cattle and sheep at various fairs and markets throughout Ireland. I frankly admit that if persons are engaged in shadowing others at fairs and markets, with a view to prevent them selling their cattle and sheep, it is a highly illegal proceeding, and the Government would be justified in prosecuting. I ask, why do they not prosecute them instead of adopting the illegal course of shadowing these men in their turn? But, without pursuing that matter further, I may say that the cases are by no means confined to this class. There are numerous other cases which have occurred, in which men have been shadowed in this most abominable manner, who are not in any way connected with intimidation, or men in respect of whom there is not the slightest pretence for saying that they are engaged in practices of this kind. For instance, Father Kennedy has been shadowed in this close manner. Against Father Kennedy the only thing that can be said is that he attended two suppressed meetings of the National League. There are many other cases of priests in different parts of Ireland who have been shadowed in the same way. There are Father Humphreys and the three priests of Carrick-ma-cross, and numerous others. Among other cases of shadowing of this kind, we have had at Loughrea the Tenants Defence Association collecting evidence for the purpose of that Association. The men who were collecting the evidence, together with Father Meagher, a respected priest of the district, were shadowed by two policemen in this close manner, and the police insisted upon following these men into the houses when they were asking for collections, and in taking notes of the conversation which passed. I believe I am right in saying that this kind of shadowing took place in many parts of Ireland where the Tenants' Defence Association were collecting evidence. Well, I say that the whole of this process is unprecedented, un-Constitutional, and, I believe, illegal as tending to create a breach of the peace. A very interesting and curious case of shadowing at Fermoy is reported in to-day's newspapers. The man who was shadowed at the market immediately took to shadowing the Chief Inspector of Police, and so the three men went about, the one shadowing the other in this close manner. The Inspector told the man who was shadowing him that if he did not desist he would be prosecuted. Whereupon the man said that if he was prosecuted, the man who was prosecuting him in turn should be prosecuted. So that it leads to an indefinite possibility of shadowing. You could have a string of men, one shadowing the other. It is really ridiculous. One of the strongest arguments against the whole process is its utter inutility

and utter failure in achieving the purpose for which it is intended. It is absolutely certain that this process has not produced the smallest good result. I challenge the Chief Secretary to produce any case in which shadowing has been of the slightest benefit for the main object he has in view. It may have resulted in one or two cases in prosecutions and convictions, but it has had no bearing whatever in putting an end to disputes between landlord and tenants, or in putting an end to their combinations, which is the chief object of their policy. The shadowing of Canon Keller has not had the slightest effect upon the dispute between the Ponsonby tenants and their landlord. The shadowing of the Tipperary tenants has not had the slightest effect in stopping the boycotting of Tipperary shopkeepers. What strikes me most is the gross stupidity of the whole affair. The Chief Secretary may be very clever in this House, but much of his administration in Ireland is infected by a stupidity which is as far removed as possible from statesmanship. This shadowing is calculated to annoy, but produces no good result. It reminds me of the naughty boy in "Alice in Wonderland," of whom the refrain says:—

> He only does it to annoy,
> Because he knows it teases.

In Ireland it is a policy of annoyance and teasing, but has no other result. Let me quote on this point a letter I have recently received from a gentleman who has been closely shadowed for a year past. Last year I brought before the House the case of a Mr. Fitzgibbon, who had been cruelly and shamefully persecuted by the authorities. He is a leading tradesman of Castlerea. He has advocated the cause of the tenants, and has acted the part of John Burns in advocating combination. But he is also a man of great moderation, and has been instrumental in effecting arrangements in all the disputes in his district. This man was marked out by the police, and was three times sent to gaol, with the grossest injustice and with the greatest indignity. A few days ago I received a letter from Mr. Fitzgibbon, describing his shadowing. The letter ran—

"Sir, since my release from prison in July, 1889, I have been constantly shadowed by the police. Whether going to church with my family, or going from it, the police have been constantly at my heels. Police are posted opposite my shop, and watch every person who visits my establishment. When driving out my family on Sundays I am closely followed by a car with two policemen. Their vigilance in watching me was, I have reason to believe, just to prevent my attending meetings of our suppressed branch of the League; and, secondly, as a source of annoyance. Up to the present they have not succeeded, in a single instance, in preventing a meeting. On one occasion I found myself so closely watched that nothing remained for me but to start for the place of meeting, and see if my horse could get away from that of the police, and which was purchased specially for the object of running me down. I had no sooner got on my car than the police got on theirs, as they had the horse harnessed ready to start at any moment. There was rarely seen in this part of the country such a chase. Perhaps both of the parties should have been punished for cruelty to animals; both horses were abused. At all events, I got away, and was soon completely out of sight, and the meeting was held, the largest since the suppression of the branch."

This is a fair illustration of what takes place. I say that the whole thing is tomfoolery. If the Chief Secretary would take one-tenth part of the trouble which he expends in carrying out coercion and in devising and defending shadowing in endeavouring to remove the causes of dispute and effecting settlements, he would easily get rid of these disputes, and dispense altogether with coercion and all its attending nonsense. But, Sir, shadowing is but a small part of the abuses of the police. No one who has not been in the districts, where these disputes exist, can have the least idea how completely the police are masters, and yet how powerless they are. Under coercion, and in the absence of juries, they are quite irresponsible, irresponsible to public opinion, to law, to this House. They can practically send to prison any person they think fit. If the authorities choose to assume that a public meeting is illegal, and it is held in spite, it rests with the police to arrest any persons they think fit, or to baton anyone they choose; if it is a case of boycotting, they can select for prosecution anyone they like. If there is a conflict of evidence before the Resident Magistrates, the Magistrates invariably believe the evidence of the police against any number of other witnesses. They take their cue in this respect from the Chief Secretary. Some of them avow this openly. This is what one of these gentlemen said in a recent case when there was direct conflict be-

tween the evidence of a policeman and an independent witness in a prosecution before him :—

"The majesty of the law must, at all hazards, be upheld. He had no doubt that either the policeman or the witness for the defendant had committed gross perjury. Judge Gibson had stated in a recent case that a policeman's evidence is more reliable than the evidence of any civilian, and he quite agreed with Judge Gibson."

He proceeded to convict the defendant. This represents the prevailing views of the Resident Magistrates; and when the case goes on appeal the County Court Judges often act on the same plan, refuse to interfere with the discretion of the Magistrates. The Magistrates only follow the example of the Chief Secretary. It was said in the Debates on the Coercion Act that there would be an appeal against its admission to this House, but the Chief Secretary has nullified that appeal by his course of action. He invariably accepts the statements of the police as gospel without inquiry or without stint. In the thousands of cases which have come before the House he has never once admitted that the police were in the wrong, never once made independent inquiry, never once apologised, or suggested a different line of conduct. He suggests sometimes a civil action against the police; but this is impossible, because identification cannot be made, and the authorities lend no assistance. If by chance the policeman can be identified and an action is brought, the whole array of Crown Counsel appear for the police, and all the machinery of the law is used to prevent a remedy. The result is, that the police are upheld in every case and become more and more reckless. It is evident that the Chief Secretary acts on principle. He knows that the police are his only support in a great part of Ireland, and that if he threw them over even when wrong he would risk losing their support and be left alone. Things go in a vicious circle. The police, finding themselves always supported or encouraged in their course of violence and insolence, go from bad to worse, the Chief Secretary eventually being led on to defend action which he, in the first instance, without doubt would repudiate and discredit. The only remedy for this state of things is a complete change in the system of the administration of Ireland. The police, instead of being the masters of the people, should be made their servants. That is the only safe relation of the police to any self-governing people. It is because in Ireland they had been masters of the people and not their servants that the present state of things is so unsatisfactory. The only way out of this vicious circle and system of government is that Ireland should be self-governing and should have control over her own police. I venture to think that a change is now inevitable, and, in conclusion, I would advise the Chief Secretary to recognise the inevitable character of the change that is at hand, and to prepare for it, and to recognise that there is such a thing as public opinion in Ireland. The cardinal defect of the right hon. Gentleman's whole policy is that he does not recognise any responsibility whatever to public opinion in that country. That may be seen through the whole line of his policy, vitiating every part of it—destroying his best intentions, and preventing his remedial measures. One of the greatest philosophers once said that all Government—even the most despotic—rests on public opinion. In Ireland the despotism does not rest on Irish public opinion, but on the public opinion of the majority of England and Scotland, and it is because that public opinion for the moment justifies the Coercion Act and the action of the Chief Secretary that the present state of things has arisen. The action to which I have referred is the cause of innumerable scandals and outraged public opinion in Ireland. Its only good effect is that it is bringing about a change of feeling even in England. The time cannot be far off when there will be such a complete change of public opinion in England and Scotland as will altogether overwhelm the policy of the right hon. Gentleman.

(6.55.) MR. DILLON (Mayo, E.): The Committee listened last night to a speech of the right hon. Gentleman the Chief Secretary which might be described as having been in his best old manner. It was a speech which, in my humble judgment, if I had had no previous experience of the right hon. Gentleman, would have been sufficient to prove to everyone listening to it the right hon. Gentleman's utter incapacity

to rule the Irish people, because it was a speech which, from the beginning to the close, exhibited a spirit of fight, of uncompromising and unbending hostility to the great mass of the people of Ireland. I am bound to say that I have too high an opinion of the intelligence of the right hon. Gentleman to suppose that he cannot now have arrived at the conclusion that his task is an utterly hopeless one, and that the task of Sisyphus was not more hopeless than that he has undertaken in Ireland. What was the upshot of the right hon. Gentleman's speech? Why, after four years, during which he has had a free hand in Ireland and has governed that country according to his own ideas, we are informed that one of the essential duties of the Irish Executive is to watch—and to watch in a way hitherto unparalleled, so far as I know, in the history of all civilised communities—the incomings and outgoings, and every movement of a great host of individuals in Ireland whom the right hon Gentleman thinks it a smart thing in this House to describe as "criminals," but whom the people of Ireland do not consider to be criminals. We have the deplorable picture presented to the public of this country—who were looking with hope to the policy of the right hon. Gentleman—that at the end of four years those of the Irish people whom the right hon. Gentleman's Government most characterise as criminals, and who are regarded as so dangerous that they must have their every steps dogged, are precisely the men who are selected by the Irish people for all positions of honour. I ask the Committee and the country whether a more hopeless case of failure in an Executive Government has ever been exhibited to the public gaze? Turning to the immediate question before the Committee, I am bound to say that this Debate takes a somewhat wide range, and extends over a very considerable field, though I think the last man in the House who has a right to complain of such a result is the right hon. Gentleman himself, because he delivered a speech not at all confined to the mere question of the duties and character of the Irish Constabulary. He traversed the whole field of Irish politics, and in the course of that considerable oration he made some very personal attacks on the Members of my Party, though at a later period he said that such was not his intention. I will deal, first, with a subject which I believe to be of the greatest possible importance—a subject which is manifestly of the greatest importance not only to us in Ireland, but to the Conservative Government in this country, and that is the subject of shadowing by the police in Ireland. I notice this fact — and no one who listened to the speech of the right hon. Gentleman last night can for a moment deny that it is the fact—that he passed over deliberately the multitudinous charges that were brought against the police in Ireland, and brought in great detail, and confined his speech absolutely to the question of shadowing, as if no other charge had been brought against the Irish Police. I watched that very closely and noted it with a certain amount of satisfaction, because I saw clearly from the tone adopted by the right hon. Gentleman, and the great length at which he dwelt on the question of shadowing, that this charge had struck home to the mind of the people of England, and that he knew that in Barrow and at other elections this phase of police espionage in Ireland is injuring the Government and injuring his cause. The right hon. Gentleman said it was a curious thing that shadowing had risen to such prominence of late, because it existed in times past to as great an extent as now. He declared that the invention of this as a new subject of agitation was due to the right hon. Gentleman the Member for Mid Lothian, who followed him in the Debate the other day, and the Chief Secretary made a very violent personal attack on the right hon. Gentleman. I venture to say to the right hon. Gentleman that he is not serving the interests of his Party nor of his own reputation by the sneering and impudent manner which he adopts towards the right hon. Gentleman the Member for Mid Lothian. It is idle to pretend that 19-20ths of the people of this country, whether Conservatives or Liberals, have not got a certain reverence for that statesman — for his experience and his age—and for the Chief Secretary to adopt the insolent tone he does towards him is, in my judgment, not even in his own interest. But let me examine this statement. He says it is curious

that this topic should have arisen into such great prominence, because shadowing existed to a greater extent under previous Administrations. I deny that absolutely and *in toto*. If the practice of shadowing ever existed in Ireland before, I ask who ought to have known of it better than myself and the Members who sit on these Benches—the leading "criminals" of Ireland? If this shadowing existed before, then all I say is that none of the Nationalists were shadowed. It must have been the gallant Colonel opposite (Colonel Saunderson) and his followers who were subjected to that treatment. But, in sober earnest, I say I know Ireland as thoroughly as any man, and am able to declare that that is a false statement, and that this shadowing is an invention of the present Government and never was practised in Ireland before 1888. Then the right hon. Gentleman went on to say that this new topic was an invention of the right hon. Gentleman the Member for Mid Lothian. Nothing could possibly be further from the truth. This topic was introduced to the notice of the House by myself in detail for the first time. The right hon. Gentleman the Member for Mid Lothian listened to my statement, and did what the right hon. Gentleman opposite apparently was not prepared to do, namely, believed my word as against that of the police, and his observations were made under those circumstances, I having given to the House for the first time a description of what the practice of shadowing as now carried on in Ireland is. The right hon. Gentleman the Member for Mid Lothian waited until the Minister, who is responsible for Ireland, spoke to see if he would deny or traverse my description of the shadowing. The Chief Secretary got up, but did nothing of the kind. He accepted my description of the shadowing and defended it. The right hon. Gentleman the Member for Mid Lothian heard that atrocious practice described for the first time in the House—I challenge anyone to deny it—he waited for the Chief Secretary to repudiate it if he chose to do so; but as he did not, the right hon. Gentleman the Member for Mid Lothian stood up and denounced it in language which will ring throughout the length and breadth of England in spite of the sneers of the Chief Secretary. The Chief Secretary then made an absurd charge against the Executive Governments which had preceded him in Ireland. He said these proceedings as charged by me, and which are now going on in different parts of Ireland, were practised under previous Administrations. He was challenged on that statement. He was told that that statement was absolutely untrue, without a shred of foundation, and that the only justification for it was the case of a certain Mr. Grant, who was watched in the days of the Administration of Lord Spencer and the right hon. Gentleman the Member for the Bridgeton Division of Glasgow (Sir G. Trevelyan). Well, this man Grant was watched because he was suspected of taking part in a murderous conspiracy. But was he shadowed? Nothing of the sort. When I rose and asked the right hon. Gentleman at what distance this man was followed by the police, he replied that he did not know. He was asked whether the police who watched the man were in uniform, and again he said he did not know—and these were two most essential points. The point we complain of is not that individuals are watched. We have all been watched in Ireland—all who have taken part in national politics, for the last 10 years. We should not complain of that; but we complain that by a new and unheard-of system, a policeman who is engaged in watching an individual marked out, walks by his side, keeping step with him and touching him, whilst another constable walks at his heels so closely that, if he stops, the constable comes into collision with him. If the shadowed person meets a friend and enters into conversation with him, every syllable that he utters is overheard by the police. We said that this is an absolutely new departure. It is a practice novel to all Executive Governments; an atrocity, a system of persecution of such an exasperating character as to be most likely, in the case of men of a hot temperament, to excite to a breach of the peace. Then the Chief Secretary had the audacity to come forward and tell the country—though the country will not believe him—that the system we now denounce was a system in force before he became connected with the Government of Ireland. I say it was not, and it is idle and preposterous for

him to attempt to confound in the minds of the Members of this House and the public the old system of watching which we have often protested against with the new and a thousandfold more abominable system of shadowing—a new, detestible and odious system of persecution. It is idle to compare it with watching. Everyone familiar with Irish life during the past 10 years, knows that all gentlemen or all individuals in that country who are prominent in any active agitation against the Executive Government, have been closely watched. I myself for years have been watched by policemen in plain clothes and by policemen in uniform, but I have never been shadowed. I do not know what fate may yet have in store for me; but I say deliberately that, in my judgment, if the man who in Ireland is shadowed can get a fair opportunity, and can knock down and beat the police, he is not breaking the law, because I believe that the system amounts to a constructive assault, and that the man is justified in resistance. I say we have been watched in Ireland. I deplore that system. I protest against it, believing it is the strongest sign when you are obliged to watch and dog the steps of political opponents that the Government of the country is unhealthy and wrong. I consider it to be one of the most essential differences between a free Government and a rough and tyrannical Government that, under a free Government it is never needful to dog the steps of political opponents; whilst under a tyrannical Government you are obliged to have recourse to the practice. I have been watched and have met men far away, even in Australia, who have been engaged in the operation of watching me. On one occasion in an hotel in Australia, a man informed me that he had been one of "Fletcher's boys," as they were called, and that it had been his duty to watch me, to follow me to every house I called at, to see how long I stopped, and to watch my every movement from morning to night. That is not shadowing. It is an evil, a cruel, and a horrible excrescence, which springs from the denial of popular rights; but I say that the system of shadowing, as now in force in Ireland, is without parallel in the whole history of tyrannical Government, even in Ireland. I defy the right hon. Gentleman to search the annals of the secret police of the Continent, since the days of Napoleon, and, to produce a single case in which a shadowing system, such as that of which we complain in Ireland, has been pursued. I believe that the time is fast approaching when the people of this country will insist upon having this stain—this disgrace—upon their character removed, and when they will say that if Ireland cannot be governed without it, Ireland shall be allowed to govern itself. The right hon. Gentleman has said that the people are engaged themselves in shadowing the police. Does not the House know that if any man in Ireland attempted to shadow as the police shadow he would at once be arrested? The right hon. Gentleman says that I was directly responsible for the appointment of certain men, who were called by the name of "vigilance men." That is absolutely false. What grounds had the right hon. Gentleman for saying so?

MR. A. J. BALFOUR: Of course, I do not suppose the hon. Member has sufficient local knowledge to say whether A, B, or C have been appointed to the Vigilance Committee, but I say he was responsible for a system which led to the appointment of Vigilance Committees, by which the system of boycotting is carried on.

MR. DILLON: As to any moderate charge——

MR. A. J. BALFOUR: It is not a moderate charge.

MR. DILLON: No one in Ireland will deny, least of all myself, that I have for 10 years preached the practice of boycotting on certain lines which I have carefully laid down. So far as that goes I am responsible, I suppose in a secondary degree, for all the steps which have been taken for boycotting. Why I draw a distinction is this: that though I preach a certain policy to the people, I have carefully guarded that policy by certain fixed lines and rules, which I have repeatedly stated to the people from public platforms. It is a monstrous stretch of that responsibility to say that I am personally responsible for the acts of every man who chooses to call himself a vigilance man. It is perfectly preposterous. You might as well say that every publican was responsible for every man whose head was broken at a compensation meeting. I

am undoubtedly responsible for the general policy adopted by the people in this regard; and I must say that when these people observe those lines of policy which I have recommended to them over and over again, I think they are doing a service to their own class and the country; but I utterly decline to be responsible for everything that they may say or do. But that is a matter of minor importance. What is a matter of the gravest importance is the grossly inaccurate statement which the right hon. Gentleman gave of the proceedings of the vigilance men. I want to draw attention to a practice which the right hon. Gentleman has followed from the first day of his administration, and which it is very hard to see how he can get out of now. He comes to this House and gives, with the utmost confidence, descriptions of places in Ireland and proceedings in Ireland, and generally of the machinery of Irish social life. He might as well give a description of Chinese life, for all he knows about it. For all those descriptions he has absolutely no source of information except his own police, who have now come to regard him as a convenient channel for any absurd stories they may concoct. From the attitude adopted by the right hon. Gentleman, they have come to the conclusion that the more outrageous and violent their stories are the more charmed he is to retail them to the House of Commons. He says the vigilance men go to the fairs and carry on a system of shadowing which is a great deal worse than any system adopted by the police. He says this has not been denied; but the reason that it has not been denied is because the assertion was never made until he made it in his speech. Knowing what we do of the courage of the right hon. Gentleman, we yet hardly suppose he would go so far as to make an assertion of that kind. So far as my information goes, vigilance men go to the fairs to warn people and to point out to them the stock that belongs to boycotted farms and to the Property Defence Association. People are told not to buy them, and in fact, the action of the vigilance men is exactly that of the pickets of the London Trades' Unions. When the dock men were on strike in London they had 4,000 men round the gates of the docks to warn off new hands, and to explain to the men their reasons for so doing. That is just what the vigilance men do. They cannot use any violence. The police are by, and, indeed, it would be directly in the teeth of the policy which we frequently recommend if they did use violence. That is what they do, and what they will do in spite of the right hon. Gentleman. It does not differ in the slightest degree from what the dock men do in London, and it is absurd to say it does. At the time of the dock strike repeated appeals were made to the Home Secretary from the owners of the docks to denounce the conduct of their pickets, which, it was said, was monstrous and unjustifiable. It was said it was intolerable that the freedom of men who wanted to work should be protected from intimidation at the hands of John Burns and his gang. What was the action of the Home Secretary? He took no action. The difference is, that in one case the picket was in London, and in the other he was in Waterford or Tipperary. In the latter case the right hon. Gentleman weeps showers of crocodile tears over a system which he allows to exist in London. I have heard the right hon. Gentleman in this House, amidst the thunderous cheers of the Tory Party, appeal to the country as to whether human liberty is to be so interfered with. He did it amid the cheers of the gallant Colonel opposite (Colonel Saunderson), who does not now appear in such excellent spirits as he does sometimes. I suppose the shadow of coming fate is darkening his spirit. The Chief Secretary asked, "Are men not to do as they have a right to do?" Well, if so, why did you allow the dock men to intimidate others? Why did you allow men, during the recent gas strike, to physically obstruct the entrance of men who wanted to work? You know it is the grossest hypocrisy to talk like that. The fact is, we do not have the same sort of law and justice in Ireland that you have in England. I know that if we in Ireland had done the same sort of thing that was done by the gas stokers of Leeds, with the utmost impunity, our people would have been cut to pieces by cavalry or shot down by the Royal Irish Constabulary. It is utterly idle for the right hon. Gentleman to get up in a fine frenzy and talk about every man doing

what he has a right to do. I say if our people are to better their condition they must be ready to make some sacrifices, and if they have not the right to combine under rules which are enforced by strong penalties, what is the liberty given them? Liberty to starve, liberty to work for starvation wages, and to be the bond slaves and the toilers of unrelenting capitalists. I say the working people of this country are beginning to see that their brothers in Ireland, under this system, which has been dubbed boycotting, and held up to execration, are doing nothing more than following in the steps of the Trades' Unions of this country, and are determined to assert the same right to inflict the same sort of penalties on people who betray their class in Ireland as are inflicted in England on those who work against the Trades' Union combinations. It is not true—it is false to say that we have organised a system of shadowing in Ireland. It is not only false, it is preposterous, because every one knows that such shadowing would not be allowed for a single hour in Ireland. I say the whole of the right hon. Gentleman's case against me falls to the ground. The Chief Secretary's system of shadowing is carried on not because of any shadowing on our part, but because the right hon. Gentleman thinks he has discovered a new and ingenious weapon by which he can torture his political opponents in Ireland. I object to this system of shadowing on several grounds. I object to it because it is a novelty, even in the bad traditions of Irish Governments. I object to it because it is an almost intolerable persecution of persons whom the underlings of the right hon. Gentleman choose to think are going to act against the law. I object to it because it is a punishment of the most horrible character, against which there is no appeal, because it is inflicted on the suspicion of any Magistrate or any police official in Ireland, and because the victim can have no hope of justice. I suppose if we were to admit, for the sake of argument, that boycotting is an offence against the law, the right hon. Gentleman would not admit that his officials are absolutely infallible. The right hon. Gentleman does not contend that the shadowing is confined to those who are engaged in boycotting. I object to the system because it is a direct incitement to a breach of the peace. I say in the case of many individuals who are of a hot temper it is absolutely impossible to expect that they will submit to it peacefully. I believe it is illegal. I believe the constables in this respect have no more right to pursue and shadow anyone, to the actual incommoding of these persons in the streets, than has any individual citizen. Supposing I was to bring over two of what the right hon. Gentleman would call my "shadows," and set them to watch and follow the right hon. Gentleman, night and day, so that he could not talk to his friends without being overheard, what would he say? I say we have just as much right to dog him through the streets of London as his men have to dog us in Ireland. On these matters I have yet to learn that police constables have any more right than ordinary citizens. The law does not prescribe this as part of their duty, and they have no right beyond. I have as much right to set agents to dog the steps of the Chief Secretary as he has to treat me in the same manner in Tipperary, only the consequence would probably be that the men would be arrested immediately, perhaps shot. We have a right to complain then if you pursue this practice upon our men. I want to know from the Attorney General for Ireland, and we are entitled to know, what are the legal grounds for this shadowing, and I say that the practice, if pursued, must inevitably lead to a breach of the peace. What legal right, I ask, have you to obstruct, annoy, persecute, a passenger in the street against whom no offence is alleged? I go further, and say that it has been the recognised practice of all Governments, even in Ireland, to watch criminals suspected of crimes, but never in such a fashion. Watch them by all means, by detectives in plain clothes, who keep at a reasonable distance. But if the Attorney General can give me any precedent of any criminal charged with any crime, no matter how foul, being subjected to such a system, I should like to hear it, and I think the Committee would too. There is another point even stronger in regard to this "shadowing." The right hon. Gentleman has leaned very strongly on the argument which he has given the House

again and again, Which is the more damnable thing, to shadow a man suspected of being a criminal, or to allow a crime to be committed? This met with a thundering cheer from the right hon. Gentleman's supporters. But the right hon. Gentleman little saw the pitfall he was dropping into. If this is a system pursued for the prevention of crime, why did he not shadow the moonlighters of Kerry and Clare? No; the right hon. Gentleman confines this shadowing to his political opponents, men against whom he has never been able to bring home a single moral crime; while the moonlighters of Kerry and Clare range about freely and commit crimes and escape. You may think this is an extreme statement, you may say how do we know——

An hon. MEMBER: They are masked.

MR. DILLON: Does the hon. Member undertake to say that because a man is masked he cannot be shadowed? Does the mask make them invisible? Really, it is delightful to get these sidelights on Irish life. They are masked! I hope some serious effort will be made to deal with this question in a proper spirit. It may be said the police do not know who the moonlighters are. Well, I know that in the days of Mr. Forster he told us the police did know, though I do not think they did, and that the police deceived him; but Mr. Forster told the House that if he could imprison them without trial he could have every moonlighter in prison in a month. Well, in the result he was not quite so successful as he predicted. But I would bring under notice a case which shows how the police acted in regard to moonlighting outrages, and I refer to the well-known case in County Clare, in which Cullinane, a spy of the police, was engaged in organising a moonlighting attack, for which he was paid by the police. All facts were revealed at the subsequent trial. The names of the men engaged were known and the men were known. Did the police shadow these men? Not a bit of it. They supplied Cullinane with money to carry out the crime and knowing all the men did not attempt to shadow them. What did they do then? They knew the crime was intended, they connived at it, they took no steps to prevent its commission, but they went out to meet and give battle to the moonlighters. Well, we all know the lamentable consequences. But, to use the strong language of an hon. Gentleman opposite, can any course be more damnable than that adopted, the more so that the police encouraged the moonlighters, and incited to the commission of crime. For my part, I think that no police in the world are justified in inciting to the commission of crime, even though to secure the capture of criminals. I think it is utterly foreign to the principle of police, and you never know how innocent men may be drawn into the net by your skilful tempter. It is an atrocious system, discreditable to the country, and ought to meet with the condemnation of every just man. But here we have the fact that, while the Government seek to justify this miserable system of shadowing by the necessity of preventing a breach of the peace and detecting crime, they deliberately avoid using the system against boycotting. But, Sir, when we come to examine the effect upon the system of boycotting, we find that of all utterly futile plans adopted by any Government this the most futile. It has had absolutely no effect whatever on boycotting, absolutely none. If you doubt my word, and care for information, just go down to Tipperary, or write to any of the people there and ask if this elaborate system of shadowing has had the smallest iota of effect on the present system of boycotting. No, the absurdity of the suggestion is so manifest that we cannot, for a moment, suppose that the Chief Secretary adopted the system with any hope or expectation of preventing boycotting. No, Sir; it is pursued as a punishment for political opponents, because it is a means of inflicting suffering and annoyance upon political opponents. Against boycotting the system is futile, it has had no effect, but in the other object shadowing has been successful to a considerable extent, the right hon. Gentleman has inflicted a good deal of annoyance and suffering upon his opponents. But, Sir, it is not calculated in the long run to serve the ultimate purpose and interest of the Government, and it is totally unworthy of any Minister who intends to govern in a constitutional manner. I have already drawn attention to the fact that right hon. Gentleman yesterday con-

fined the whole of his speech to this question of shadowing, but the Debate has not been confined to such cases, many cases being brought to notice in which the police have acted with gross and wanton violence. They have burst into houses without warrant or the slightest justification, and in various oppressive forms they have been guilty of illegal action. We have had the case of Father Kennedy mentioned, and there the police, in the very teeth of a well known law, broke into the rev. gentleman's house, hustled him about, ill-treated the occupants of the house, and acted with the grossest insolence. We are often advised that in such cases, where persons have a grievance against the police, there is a legal remedy. Well, Father Kennedy took this legal means of enforcing remedy in a Court of Law. He brought an action against the police, who were defended by all the Crown lawyers. Father Kennedy succeeded in obtaining from a special jury a verdict and damages £100. But immediately the authorities moved for a new trial, and this rev. gentleman, who had already been put to enormous expense and great loss of time, had every obstacle thrown in his way in seeking that remedy the right hon. Gentleman has recommended. Up to this hour Father Kennedy has had no redress whatever; although the Judge laid down the law, and showed that the police acted with the greatest illegality, and the jury gave damages on the facts, there has not been one word of condemnation from the Chief Secretary of their conduct, and their defence, I suppose, is paid for out of public funds. It is a significant fact that at the trial that Government legal hack whom the Attorney General is trying to force on the acceptance of Trinity College, Mr. Carson, who defended the police, when he found the case was going against him turned to the jury and said, in the hope of appealing to some political prejudice among them, "Do not make a point against the Government by giving a verdict against their police!" That is the way the people of Ireland are met if they seek their legal remedy, and I ask the Committee is it fair, is it just, is it anything but a mockery to tell the poor peasant of Ireland that if he suffers wrong at the hands of the police there is a legal remedy by going into the Higher Courts. You might as well tell him to go to the Grand Llama of Thibet. If he asks justice at the Local Courts he comes face to face with the Local Magistrate, who is the accomplice of the police, and we shall probably find him sent to prison for having the audacity to complain. In face of those facts, I say, it is idle and an outrage on the people of Ireland to refer them for their remedy against repeated acts of oppression and of cruelty on the part of the police to the Law Courts when the Executive ought to be their remedy. The conduct of the Irish police during the last two years has been exceedingly bad. We have had frequent cause to complain of it. The fountain head of the evil is largely to be found on the Treasury Bench. The answers, the demeanour, the tone of the Chief Secretary, when we do make complaints to him, are of such a character as to incite the Irish police to fresh acts of violence. What have we seen? During the last three years we have seen that the Irish police have murdered four or five people. There have been four Coroners' Juries' verdicts of wilful murder against them. They have dispersed meetings, they have bludgeoned and batoned hundreds of perfectly peaceful and unresisting people, and yet in no single instance, from beginning to end, have they been punished or reproved. On the contrary, the right hon. Gentleman reads out the first lie the police like to send him, and refuses absolutely to grant any inquiry. The result is that the police have now come to several conclusions, the first of which is that they can do whatever they like with most absolute impunity and safety; secondly, that the more offensive, the more insulting, and the more outrageous their conduct is, provided alone it is against the Nationalists, the better chance they have of promotion. The consequence is that we have in the ranks of the Irish police the demoralisation and the disorganisation which has already been described at considerable length in this House, and which, I must say, threatens that Force with the most evil consequences. That I consider a very great evil in Ireland, and, I regret to say, it is a growing evil. That demoralisation has shown itself in a great variety of ways.

No one can visit the country without seeing it. In the districts where subsistence and extra allowances are made on a large scale they are spent on drink. The police there, owing to their long hours of duty, as well as to the intense unpleasantness of the duty, indulge in great quantities of liquor, and the consequence is that it has become quite a common thing for constables to be found half drunk and in a state of incapacity. A number of cases have been brought before this House. A case occurred the other day in Tipperary, which the right hon. Gentleman says is now under investigation. It was on St. John's Eve, in Tipperary, at nine o'clock, when a policeman left barrack and walked some distance out of the town. On his way he came to a bonfire, around which some girls were dancing. He went in amongst the girls, struck two or three of them, using the foulest language. He then went on, and the first house he came to he wrecked the windows. Then he went on to another house, and also smashed the windows. Then he went on to another house, and also smashed the windows, and made several efforts to burst the door. After completely breaking every window in the front, he proceeded to the back, where he also destroyed the windows. Having wrecked Mr. Corbett's humble dwelling, he proceeded to the house of Mr. John Tring, but here his fortunes were much less favoured. After breaking five panes of glass, the owner of the house was aroused, and rushing out of bed, he pursued the constable in his nightdress, and, with the assistance of a dog, succeeded in capturing him, and taking him to the barracks. That is a performance recently achieved by one of these guardians of law and order in Tipperary. The right hon. Gentleman has drawn the most lurid pictures of the wrecking of houses in Tipperary, when they were never wrecked at all, when only the glass was broken, but here was a case where a policeman wrecked a whole house off his own bat.

An hon. MEMBER: By moonlight?

MR. DILLON: Yes, by moonlight, and yet we never heard a word about it from the Chief Secretary. I think that constable is entitled to honourable mention by the right hon. Gentleman. It has been said, and said quite truly, that the Irish police are becoming daily more oppressive, more cruel, and more disorderly. Now, according to the right hon. Gentleman, the other day the mob marched through the streets of Tipperary, wrecking the houses of their political opponents, and throwing explosive machines about. What I should like to know is, if this be the case, where were the police? If they allowed these houses to be wrecked where they had a garrison of 130 armed policemen for a population of 7,000 inhabitants, I ask has human experience ever heard of such a thing? I say that they ought all of them to be stripped of their clothes to-morrow, as an utterly worthless and absurd Force, if they are unable to prevent the wrecking of the houses of the inhabitants of Tipperary. The whole system is absolutely and utterly at fault, and when the right hon. Gentleman gets up to defend it in this House, he is bound to contradict himself in every second sentence. The right hon. Gentleman himself incites the police to acts of violence and cruelty by his answers and speeches in this House. He has also incited the Magistrates and all the officials in Ireland to act in an un-constitutional way by the repeated and reckless inaccuracy of his answers and statements. Only yesterday he described a most dreadful case of boycotting, which he said was a typical case in the County of Waterford, where a poor man was prevented from selling his pigs. The man Power who prevented him, he said, was now lying in gaol for shadowing this man. The man Power was arrested it is true, but he was released on appeal by County Court Judge Waters. He has not been in gaol for the last four months. That is a sample of the way in which the right hon. Gentleman goes on. He does not take the trouble to inform himself on Irish affairs, and where he has not got a policeman's story ready, he tosses out whatever first comes to hand. Our complaints in these matters are complaints about the administration of the law in Ireland, and the right hon. Gentleman sought to ride off on the great and oppressive powers which were taken by the Government of Mr. Forster and Lord Spencer when they were responsible for the Government of Ireland.

But these powers were conferred upon them by the House of Commons, and cruel and oppressive and wrong as they were—they undoubtedly were wrong—every Member of the House of Commons was equally responsible for them with Lord Spencer, and Mr. Trevelyan and Mr. Forster. These Gentlemen, when they ruled Ireland—although I contend that by these powers they ruled cruelly—ruled under the law, bad as the law was. But our complaint against the right hon. Gentleman is this, that many of the greatest evils of his are evils of administration of the law, and not of the law itself. One of the most acute and the most common-sense observers who ever wrote on political matters was Arthur Young, and when he came to Ireland and wrote that delightful and remarkable book on *Travels in Ireland*, he used an expression which has often been quoted, and which cannot be quoted too often. He says :—

"To discover what the liberty of a people is we must live amongst them, and not look for it in the statutes of the realm. The language of the written law may be the language of liberty. The situation of the poor may speak nothing but the language of slavery."

Those words apply just as much to Ireland now as when Arthur Young wrote them in 1777. The language of the law in Ireland to-day is not the language of liberty. I am sorry to say it is often the very reverse, but when we come to the language of its administration we find that, in the words of Arthur Young, it speaks nothing but the language of slavery. Another complaint that we have to make against the police in Ireland is that they are not used for the purpose of preserving the peace, and that they are not used mainly for the purpose of protecting the citizens, but that they are used for the selfish purpose of one small class of the community. I will give one most curious and amusing instance illustrative of this fact. I have here the notebook of a plain-clothes constable of the Royal Irish Constabulary, which has come into my possession. No doubt the constable indulged too freely in stout, and lost it. At any rate it is very interesting. It appears that this constable is at present engaged, at the expense of the British taxpayer, in watching the stock which the hon. Member for South Tyrone has lent to the plantation tenants of the Brooke estate, for fear that the tenants should steal their own stock. Did ever anyone hear of such a thing? He has to count this stock every week lest these precious tenants should steal it. Here are entries made by the constable in reference to the clipping of sheep, and comments on various agricultural matters. Finding his duties light the constable, being of a poetical turn of mind, breaks out into poetry. So we now find that amongst the various duties of the Royal Irish Constabulary is that of contributing to the poetical literature of the land. Here is the original poem, as yet unpublished. I am prepared now to sell it for the benefit of the Plan of Campaign.

"'Tis said in merry spring
That love is strongest on the wing,
That Cupid wheels through flowery May
His airy flight, his golden way
To die in bleak December day.
'Tis said that when the merles sing
And cowslips in the meadows spring,
And daisies on the lea are seen,
And woods resume their summer green,
And wanton lambs begin to play,
And larks at daybreak tune their lay."

Well, these are, I daresay, very beautiful songs, and I have no objection to a constable cultivating his poetic taste, only I think the poet ought to earn his own living. Here is another specimen on which the poet takes an amatory turn—

"'Cause why your mother knows, my love,
My little flower of the May,
That often, often did I rove
By this same woodland way,
To woo your eldest sister, Kate,
When we were young together.
But Kate is waxing old, my pet,
So do not tell your mother."

Of course I have no objection to the constable writing poetry, but I do object to these men being lent for the purpose of the hon. Member for South Tyrone, unless he pays for them with his own money. The police in Ireland have attained their inflated condition simply in order that they may be the servants of the Irish landlords; and if it were not for this, coupled with the maladministration of the law in Ireland, one third of the Force would be able to do the whole of the work. I say this is an outrage on the taxpayers of this country, and still more upon the poor people of Ireland, who are thus deprived of money which might be spent for some useful purpose. Primary education is starved. Univer-

sity education is starved. Every important department is starved, and yet we have imposed upon us the most gigantic, the most overpaid, and the most useless Police Force the world has ever seen. It is for these reasons that we oppose this Vote, and we say that the time has come when the whole matter ought to be looked into. The Police Force of Ireland ought to be reduced to the level of that of England. The people are peaceable and crimeless, if they are fairly governed, and if the Irish landlords require 10,000 armed men they had better levy the money for their pay from off their own estates.

(8.5.) MR. DALTON (Donegal, W.): I think the speech we have just heard is a sufficient answer to what the Chief Secretary has said in regard to the practice of shadowing. The right hon. Gentleman gave us several instances, by way of defence, to show that a similar system had been pursued by the Government of the right hon. Gentleman the Member for Mid Lothian, but he did not take the trouble to get up his facts, and did not know those facts that are essential to make good his case. Whilst the right hon. Gentleman was giving us these, as he thought, parallel cases, he was asked by my hon. Friend the Member for East Mayo "At what distance did the policeman follow?" And his answer was, "I cannot say." Then the right hon. Gentleman the Member for Mid Lothian asked, "Was the policeman in uniform?" Again the right hon. Gentleman replied, "I cannot answer that." I am sure the Committee will recognise that the answers to these two questions are absolutely essential, and upon them depend the value of the parallel drawn. We do not complain of ordinary watching, we do not complain of detective duty enforced everywhere; what we complain of is this new system of dogging the footsteps of innocent men persistently by policemen in uniform, an annoyance that the detective system has never caused. I hope answers to these questions will be forthcoming. Then there is another point. The Chief Secretary has stated times and times again in this House, when told that English visitors to Ireland had been subjected to this shadowing process, that this was not so. Time after time he has declared this deliberately, and has gone so far as to say that, if a person was thus shadowed, it was not on account of his formidable appearance, but because of his being in company with people suspected of having committed or being about to commit crime. The only people shadowed, he said, were those to whom suspicion attached. Now, in regard to that, the noble Lord the Member for Somerset got up yesterday and told the right hon. Gentleman that three of his friends visiting Ireland had been shadowed from the time they landed to the time they left. Thereupon the right hon. Gentleman thought it a proper answer to make that he did not know much about such cases, but if the three friends of the noble Lord were shadowed it must have been because they were very suspicious-looking characters. How he can reconcile that with his previous remarks upon shadowing I cannot understand. I suppose he thought it made a telling retort in debate, but I cannot reconcile it with the statement that shadowing is for the prevention of boycotting and intimidation. Well, Sir, there is one point upon which I should like to say a few words with regard to this Police Vote, and it is a point which, in my humble opinion, appears to go to the root of the whole system of government in Ireland—the unreliability of police evidence. All the statements the right hon. Gentleman makes in the House in answer to questions, all the speeches he and his followers make in the House or in the country, are made on the strength of evidence supplied by the police in Ireland, and it is on the strength of information thus supplied he asks Members of this House to support his policy. Now we know, everybody in this House knows, that time and time again there have been conflicts of evidence here, time and time again my hon. Friends have contradicted police reports and challenged statements made by the Chief Secretary on the strength of these reports, and time and time again we have asked for inquiry to test whether we are right in our facts or the Chief Secretary in his information, and invariably the right hon. Gentleman has refused such inquiry. Under these circumstances we are justified in insisting upon the truth of our own version. Just one instance I will give from my own experience to show what I mean. A few days ago I

asked the Chief Secretary whether the police on eviction duty at Falcarragh had marched home from the scene singing "Glory, Alleluia!" The Chief Secretary in a flippant manner said so far as he knew it was rather a good humoured song and he did not see very much harm in it if they did. He further went on to say that

"The police did not sing except to beguile the weary time marching home, and not at the scene of the evictions."

Now, upon that fact I have received a letter from a gentleman who has given me permission to use his name. Unlike the hon. and gallant Member for North Armagh, when we quote a letter we can afford to give the name of the writer to show the *bona fides* of the information. The Rev. Father Kelly, parish priest of Dunfanaghy, writes—

"It is an audacious falsehood to say that the police do not sing at the scene of evictions."

He goes on to say that the

"Savage yelling of the police is evidently intended for no other purpose than to irritate and insult the evicted persons and their friends."

It is a point that may or may not be of importance in itself, but, at any rate, it serves to show the untrustworthy nature of official information. Now we remember the debate upon the prohibited meetings of Cashel and Tipperary. My hon. Friend the Member for East Mayo gave a long description of the occurrences, and in the whole speech I do not think he mentioned a single incident to which he was not himself an eye-witness. Upon that occasion, as he is reported on June 10, the Chief Secretary said my hon. Friend had given an interesting account of the events, but that it was at variance with the official accounts furnished. Well, Sir, I do not know in what other way it could be shown that the official information was unreliable, for we who know my hon. Friend, and I think the great majority of people in the country and Members in the House, will prefer to believe what my hon. Friend says upon the evidence of his own eyes rather than the information supplied to the right hon. Gentleman. These two instances are sufficient to show my point, and I say the Chief Secretary has time and time again shown in this House that the information upon which he makes his statements and his speeches, which are so loudly cheered on the other side, is altogether false. Nevertheless, though there may be this direct conflict of testimony, inquiry into the truth is refused. In the only cases where it has been possible to test the accuracy of statements, in those cases where the right hon. Gentleman has been forced to submit to inquiry by Coroners' Inquests on the bodies of victims of police violence, such as the inquest upon O'Hanlon, at Youghal, the Mitchelstown victims, and the boy Heffernan, our versions given here in contradiction to police accounts have been shown, on the evidence of unimpeachable witnesses, to have been correct. That being so, then I say that so far as tests have been applied they show that we can reasonably claim that in any divergence of statement the balance of probability is against the truth of the police reports. Of course, the right hon. Gentleman has to rely on official information, and, as arising out of the conditions under which Ireland is governed, and the relations that exist between the people and the police, we know that the officials who supply him with information will take care that it is compiled with due regard to their own interests and the necessities of their case. For many of these officials the only reason for existence is a continuance of the present state of things. Change the existing relations and these men would probably lose their positions. Pay and promotion depend upon the case they can make out, and under the circumstances it is not surprising that the information supplied to the Chief Secretary is concocted with due regard to the safety of their position. It is an evil that, of course, must last as long as the present state of things. The only possible remedy is to put the officials in Ireland in the same position as similar officials occupy in this country—to make them the servants of the people, instead of, as they now consider themselves in Ireland, the masters of the people, responsible to nobody, and having no other thought than how they best may make a lucrative position more secure.

*(8.20.) MR. WEBB (Waterford, W.): There is, I think, no subject in connection with administration in Ireland that can be more profitably discussed than this

Police Vote. Nothing, I contend, more contributes to separate and keep apart the people of Ireland from the people of England than the maintenance of the Irish Constabulary on its present lines. The people of England who have not visited Ireland have no conception of what it is, the existence among the people of this armed and irresponsible Force in every town and village, an incubus upon all civil life with no effective control over it. It is a Force which, though nominally Irish, is not Irish in feeling or tradition or any of its connections. It is among us, but not of us. It is not a civil Force to protect us and our property in our daily lives, and to prevent and detect crime among us, for, having no sympathy with the people, its functions fail in this respect. Every means is taken to separate the Force from the people: a man is not allowed to serve in the county where he is known, and if he marries a woman from another county then there are two counties from which, as a constable, he is excluded. We do not desire anything unreasonable, and we recognise that a policeman must not be so connected with a district as to hamper him in his duties for the prevention and detection of crime, but here is a body of men set apart and beyond the feelings and opinions of all the people around them, a military Force separated from all sympathy with civil life. It is an extraordinary spectacle presented in Ireland, in many respects one of the most crimeless countries in the West of Europe—an enormous Police Force kept up at an extravagant expenditure, large sums are taken from the taxpayers, from the wages of the country, to keep up this system. It is the fact, I believe, that the Irish Constabulary are paid more than the national teachers in Ireland. Unless, indeed, you pay the men highly you cannot get them to do the work required of them, and to occupy a position hateful to the great majority of their countrymen. A great many instances of the ill effects of the present spstem have been brought before the Committee; but there are one or two matters to which I should like to refer. Members of the Force have no distinguishing mark upon their uniform by which they can be identified and corrected when they go wrong or exceed their duty. What possible objection can there be to this arrangement, which obtains in this country and also in Dublin? We have a further development of the same in the practice of removing the marks from the uniforms of men who are sent from town to do duty in the country. There can be no object in this except to prevent people having the means of any redress whenever a policeman does wrong. Hence it is the police have not that sense of responsibility which ought to attach to men in their position. Then we have these policemen taking upon themselves in the small towns of Ireland to order people to move on whenever a man or woman stops to exchange a word with friend or neighbour. Why, men can stop and talk in the streets of the great towns in this country and no one dreams of calling it obstruction of the thoroughfare. It takes an extraordinary amount of ingenuity to manufacture a crime out of the act of two citizens talking in the street. The truth is, there is more obstruction of thoroughfare in a few yards of the Mile End Road on a Saturday night than in the whole of Ireland in the course of a year. On every possible occasion the police take it upon themselves to interfere with the rights and liberties of the people. It is not so long ago that we drew attention here to the action of the police toward public collections, made on behalf of the defence of our leaders from false charges publicly brought against them. I was honorary secretary or treasurer to a section of this fund, and it came to my knowledge that the police had interfered to prevent in country villages the people from subscribing of their own free will. Well, we did not want to discourage collections in other places, for we know the people are practically at the mercy of the police, and so we made no stir in the matter; but, as a matter of fact, the police interfered even to prevent collections being made in front of churches on Sundays. Many instances might be given from the experience of men who have knowledge of life in Ireland of the irresponsible Bashi-Bazouk action of the police in Ireland, and the dread in which they are held by the peaceable and law-abiding population. I was visiting at the house of a friend in County Wicklow, and there I was taken ill, and suffered much at night

from the incessant howling of a dog near the house. I asked if anything could be done to stop the nuisance, and I was told "no," because the animal belonged to the Police Inspector, and the case must be very extreme that should necessitate any complaint being made of him. Now this was not the case of a poor man. My friend was a member of the Society of Friends, and of good position, and yet so reluctant was he to have any possible disagreement with a Police Inspector that he would not interfere to stop the barking of a dog. This being so, what is to be done in the case of the poor people who have no backing, and are left consequently to the mercy of the police? It is very difficult, indeed, for Englishmen to conceive the position in which the Irish towns and districts are placed under a Government like this. I do not say that these men are naturally wicked beyond other men, but the position in which they are placed is enough to corrupt and demoralise them, and I have observed that corruption and demoralisation have been going on more and more during the period of office of the present Administration. Beyond this we have to complain that we are compelled to provide more money than we ought in order to keep up the wretched system of espionage that goes on in Ireland. It is not so very long ago that I attended a meeting in South Tipperary, a meeting which was in itself of so little importance that it was not even noticed in the Irish papers. It was held at a time when the ground was covered with snow, and the weather was exceedingly hard and cold, and when I reached the place I saw what seemed to be a small brigade of men drawn up on the snow with an officer in front of them as if he were commanding a body of men in the field in the face of an enemy. I ask this Committee, is it not probable that under circumstances of this kind men placed in such a position would be very likely, if the opportunity arose, to pay it off upon the people? I noticed that they had two sets of police cars and three notetakers ready, so that if the meeting had been broken up into three divisions, to follow each division. On other occasions I have seen and heard of things on the part of the police which have stirred my blood. We have heard within the last few days of the police singing "Glory, Halleluiah!" when coming home from evictions, and I ask the Chief Secretary whether he thinks that if there were the slightest amount of chivalry on the part of the Irish Government those things would not be put down and prevented. However, what they are doing in this way is only damaging their own cause. So far as we, the Representatives of the National Party are concerned, their conduct is all the better for us, because in acting in this manner the Government are only hastening their own downfall. I cannot imagine anything worse than the toleration they give to the expressions of joy and hilarity on the part of the police when returning from scenes in which they have assisted in evicting poor tenants and turning them out on the roadside. Evictions, of course, may in certain cases be necessary, although I do not think they are in the large majority of the cases that have come before us; but, I ask, is it necessary that the police who are called upon to assist in these evictions should be encouraged to such a state of mind in the performance of their duties? But beyond this we constantly have cases of the interference of the police with the natural rejoicings of the people on occasions when those rejoicings can have no sinister aspect. There was not very long ago the occasion of the marriage of Mr. William O'Brien, a man who holds a position in Ireland which, amongst the Irish people, is far above that of any person in this country. The Irish people know and feel that there is no one who has done more than he has done on their behalf. There are, I think, few men upon whom the English people look upon with so much affection and devotion as are accorded to the hon. Gentleman to whom I have referred. The people, with a view of showing their estimation of the hon. Member, lit a few bonfires, and the police were actually employed for the purpose of putting out those bonfires, although they had practically no political significance, and were merely expressive of the popular rejoicing on a peaceable occasion. In addition to this, we have had other cases brought before us, like that which was mentioned last night, where police were convicted by Irish Juries of murder, and yet those very

police were singled out for advancement. But we are told in Ireland that if we only adopt peaceable means everything will be right, and yet, when we do adopt peaceable means, in cases where we have to defend our rights, our action is rendered absolutely worthless by the way in which we are met by the Governmental system. With regard to the police, I think it is a shame that the promotion attainable by the men should depend on the extent to which they can procure convictions. This is clearly an encouragement to them in bringing, perhaps, false charges against the people. There was the Crossmaglen case, in which several men were sentenced to from seven to 10 years' penal servitude, and most of us who looked into the matter believed those men to be absolutely innocent, and I think I may say that the late Lord Carnarvon was of the same opinion. The police after their conviction were promoted. In point of fact, the police are leagued against our people, whatever is said in this House on their behalf, although it may only be upon the evidence of a single individual, he is always believed, even as against the assertions made by the Members sitting on these Benches. I ask who is it that has the greatest incentive to tell an untruth? I say that in the case of Ireland it may be the policeman, and we ought to consider the fact that the graver the charges, and the more they detract from the character of our countrymen, the more sure are the Irish police to obtain advancement, as long as they stick to their guns. From our point of view, this is a most insensate policy. We are, however, always told that we have the remedy of the Courts, but we know exactly what that remedy means for Ireland. We know that, however strong may be our case, and however much money we may collect for the purpose of prosecuting it, the authorities invariably manage to wriggle out, no matter under what Administration. It used to be said that if Irishmen would only come more frequently over to England, that if there were a sort of bridge between the two countries by which communication could be made more easy, the Irish people would see that the English method of governing was right. But the fact is the direct contrary. The more we come here and the more we see, the more determined we are never to submit to the continuance of the existing system. At a late meeting in Hyde Park I was particularly struck with the account which appeared in the papers of an attack made upon an hon. Member of this House (Sir Henry Havelock-Allan). The people tried to pull him off his horse. The man who had thrown stones at him was pointed out to the police, and yet the English police refused to arrest him, because they were not absolutely certain of his identity. If a similar proceeding had occurred at a meeting in Ireland there would perhaps have been a dozen men shot down. But the right hon. Gentleman the Chief Secretary invariably shelters himself under the miserable *tu quoque* argument, which is no argument at all. I think that the highest glory attaching to the statesmanship of the men who are championing the Irish cause in England is that they have changed their minds, and find that the old policy of Irish Government will no longer do. There is no doubt that in the days of previous Governments things were very weak and bad, but at the same time there was in those days the plea that the Government had no positive proof as to the opinions of the overwhelming majority of the Irish people. They had always on their side the argument that it was not proved to them what the majority of the people thought. If, however, we wait a year or two we shall have the majority on our side. Last night the hon. and gallant Member for North Armagh (Colonel Saunderson) treated us to a very stirring lesson as to how the action of the present Government in Ireland was the result of our conduct. In answer to the hon. and gallant Gentleman I would say this, that no matter what he says we still feel that he is an Irishman, and we may still hope that he will arrive at a different opinion in regard to this matter. Since I have been in this House the worst things I have heard said in it of the Irish Representatives have not been said by hon. Members born in Ireland, but by men who have gone to Ireland and made their living there, and have used the position they have thus obtained to defame and deride the country in which they have been placed. We can well

bear being told of the "mean and contemptible" position taken up by Members on this side of the House, for we know that the really mean and contemptible position taken up long ago by those Irish Representatives who, instead of listening to the voice of their countrymen, endeavoured to forward their own position and that of their friends and relatives. Whatever the present condition of Ireland is, is undoubtedly the result of long centuries of misgovernment, through which the people had been unable to express their wishes and desires. This state of things never would have existed if we had always had the same voice in the conduct of affairs as we have now in the British Parliament. The hon. and gallant Gentleman made the extraordinary proposition that if three-fourths of the people of London were against the law, as they are in Ireland, a very much larger Police Force would be necessary. No; the law would then be changed. That is very much like saying that the people of Ireland are different to those in England, or any other country. In a properly constituted country it is the people that make and sustain the law. We are constantly being told of the effects of boycotting, but it is my belief that but for the boycotting which has taken place of late years, we in Ireland should have gone back to an older and much worse system. But for some such means we would have had no hope of redress. To condemn exclusive dealing under all circumstances is unjust and absurd. Because there is a disposition to resist and rebel against what is called the law in Ireland, is certain proof that the law is wrong as it exists. Now, Mr. Courtney, we are protesting against the Police Force, but anyone who knows what our desires and intentions are well know that we have no objection to a proper Police Force. I believe a proper Police Force will always, unfortunately, be necessary in any country which is to be governed. We want such a Force as you have in England, a Force under the control of the people themselves; and we believe that in Ireland, as in every other country, the Irish people will select the best men to control the police and administer every other institution of their country. We want a strong and honest Police Force, not a Police Force such as the present, which is maintained against the protests of the people, which in Ireland tends to confusion, misery, and breaches of the law, and which tends to separation and alienation between the two countries. (8.48.)

*(9.18.) MR. P. O'BRIEN (Monaghan, N.): I would ask to be allowed to say a few words in regard to my own experience—and I am sorry I am not able to give the result of that experience in the presence of more Members. The first matter I would bring under the notice of the House is the conduct of the police in the county of Monaghan. It is pretty well known that for some time, and until quite recently, there was a serious dispute going on in the town of Carrickmacross between the people of that town and the Great Northern of Ireland Railway Company. The people had a right to expect that in any dispute of this kind they should be left to themselves; but, as a matter of fact, the police were brought in, and were used on the side of the Railway Company to harass the people. One of the excuses most generally given by the Chief Secretary, in his most pathetic tones, is that the police are only used for the protection of the poor and the helpless. He generally draws some harrowing picture of some poor boycotted person whose treatment at the hands of his neighbours is cruel in the extreme, and he says that on these occasions the police protect the weak against the strong.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*MR. P. O'BRIEN: The history of the dispute to which I refer is this. About Christmas, 1886, a landlord, named Shirley, evicted 12 families from their homes. A gentleman named Phelan, residing in the town of Carrickmacross, who was also a tenant of this particular landlord—a respectable man and a Justice of the Peace—visited the evicted tenants after their eviction, at a time when the place was covered with snow, in his capacity of Chairman of the Board of Guardians. His desire was to see if any, and if so, how many wanted shelter and relief. This not unnaturally displeased the landlord, and he took measures to convey his displeasure.

He wrote several letters to Mr. Phelan, asking him why he interfered with the tenantry. In the March following Mr. Shirley evicted 21 families—altogether 100 souls. For the purpose of getting rid of these people—who were applying to the Land Court to have a fair rent fixed—150 police were called into requisition. As a means of averting this state of things, Mr. Phelan assisted these people to fill up applications to enable them to go into the Land Court. They used his house for the purpose, and for this unpardonable offence Mr. Phelan was called on by Mr. Shirley to surrender his house, which was one of the best in the town It was not a question of non-payment of rent. Mr. Phelan owed no rent, in fact he was, I am glad to say, then, as now, in a much better financial position than his landlord. But this was a vindictive attempt on the part of Mr. Shirley to punish Mr. Phelan. Soon after Mr. Phelan was evicted the station master of the Great Northern Railway in the town married a servant of Mr. Shirley, and forthwith he was installed in the house of this evicted Justice of the Peace. The people resented this, and they called on the Railway Company to provide another house for their servant, who was grabbing this gentleman's house. The Railway Company, who feel so warmly with Mr. Shirley and the evicting going all over Ireland, declined to do this, and the people took steps to make them surrender. They practically boycotted the company. They withdrew their trade from the company, and established a carrying system of their own, by horses, to take their goods down to Dundalk—as I think it will be admitted they had a right to do, either in Ireland or any other country. But what was the result? The Government came to the help of the landlord and the Railway Company. They lent the use of the police to harrass the people. The police took the names of people who were carrying goods and sending them, and they did everything they could to annoy and, if possible, to drive the people into committing some breach of the law—which, I am glad to say, they failed in. That was all done at the instigation of Mr. Shirley, at whose house the police put up, and at whose house the officers constantly dined. The railway Directors began to feel that the pressure was too much for them, they began to feel that some day they would have to face the shareholders, and account to them for a decrease in the dividend. They not unnaturally thought that they should come to terms rather than quarrel about this man's house. Just as they were about to remove the man from the place, Divisional Commissioner Cameron came up from Belfast, and then and there began to use his influence to prevent the Railway Company surrendering the house. And so the fight went on for six months more, the people in the meantime being harassed. Every man of any prominence in the town, whether clergyman or merchant, was shadowed wherever he went, but in the end—as always happens in these cases—the Railway Company were beaten. They gave up the house, and when they had done so they got back their trade. I think we have a right to complain of this employment of the police in carrying on such useless and unnecessary work. Plainly, the Directors of this company were used by the Government for the purpose of suppressing and beating down the people, and the police were placed at their backs. Since this fight ended we might naturally have expected that the police would have kept to police duty. It has, however, been my duty to put questions repeatedly in this House to the Chief Secretary asking him to explain why the priests of Carrickmacross have since been perpetually shadowed. The Rev. Father Callan, the Rev. Father O'Doherty, and other priests are persistently dogged from the town of Carrickmacross on Sundays to the outlying chapels, where they have to say Mass, and they are watched when they leave the chapels. It is well known that when a priest goes to an outlying chapel he has afterwards to attend to the sick calls of the district. The police are in waiting; they follow the priests up to the very doors of the people they have to attend. Some of the sick people have been so frightened by the gathering of the police around their doors that they have been almost in danger of their lives. As to shadowing in other parts of Ireland, I have been able to give some object lessons in it to the British public, which I hope will not be without effect. The description of the system drew from an hon. and

gallant Gentleman on the other side of the House the very pithy, and, I think, true, expression of opinion that the thing was simply damnable. He referred, however, to only one instance. The thing is going on in numbers of places in Ireland. If I go to my own constituency, and attend my place of worship, I am shadowed not only up to the church but into the church. This is done to prevent me from addressing meetings, but there it fails, because if I mean to address a meeting I always do it. On a recent occasion I had to go to Clongorey, in the county of Kildare. I passed through the town, which was full of police. They did not happen to know me, and I was able to go out to a place within sight of their barracks and hold a very large meeting. The shadowing system in the county of Monaghan is quite uncalled for. It is not alleged that there is any estate there—and I am sorry to say it—in which the Plan of Campaign has been adopted. To be sure the Chief Secretary says the National League is suppressed in that county. It is suppressed in the sense in which it is suppressed in other counties—that is to say, the meetings go on regularly every week, and the League was never in such a flourishing condition as it is to day. And yet the Chief Secretary deludes himself with the idea that he has suppressed the National League. Another way in which the police are used, is to give assistance in the work of Jury-packing. It will be in the recollection of some members of the Committee that, six or eight months ago, trials in connection with the death of Inspector Martin, in Donegal, took place in Queen's County. The Lord Chief Packer of Ireland, who is now Lord Chief Justice of Ireland, was there, and he packed the jury so well that I suppose that was the principal reason why he was able to step into the second highest judicial position in the land. The police were used to assist him in packing the Jury. District Inspector Warburton prepared the way for the redoubtable packer by calling on the police in the districts from which the panel was to be made up, to tick off the names, the religions, the politics, and so on, and to state whether, in their opinion, they thought each man could be relied on to give a verdict for the Crown, and against Father M'Fadden and the peasants, who had been brought all the way from Donegal for this farce of a trial. I challenge the Chief Secretary, or the right hon. and learned Attorney General, to deny that the District Inspector acted as I have stated. I ask where, in the civilised world, would the police be used—at all events where trial by Jury is the rule—for such an evil purpose, as the marking off in advance, for the Crown lawyers, of the politics and the religion of the men who are sent to give a fair and impartial trial to men who are labouring under such a serious charge. It has been stated in this House that the police were in the habit of singing on their way to and from the infamous work of eviction. The Chief Secretary has denied it. I happen to have had direct personal experience of the fact, and the police not only sing as they go to evictions, but sing as they leave them. The Chief Secretary said, in apology for the police, that it was the usual thing for the military to sing while on the march. Well, I was present at the evictions in Donegal in the year 1889. The military were there, and I saw a troop of the gallant Scots Greys engaged in taking off, as prisoners of war, half-a-dozen little girls, one of whom was nine years old, and the eldest of whom was, I think, not more than 15 years of age. I thought if I had had the good fortune to have had my camera with me what an interesting object lesson would have been conveyed to the British people by the picture of these fine, brave men, who I am sure were ashamed of their work, and who, I think, would reflect honour and credit on the country if they were engaged with some equal foe, instead of being employed in turning out of their homes unfortunate people who had done them no wrong, and whose only fault was that they had endeavoured to keep the shelter of their houses over them until this House came to their assistance, as, of course, it will eventually have to do. If it is not done by the present Government it will be done by their successors, and we can see the near approach of those successors now. Well, the military did not sing either going to or coming from those evictions, but the *quasi*-military force, the police, when they had demolished the homes of

the people and were marching away with District Inspector Cameron and the hon. Member for Fulham (Mr. Hayes Fisher) at their head, did sing, and the song they deliberately selected for the purpose of wounding the feelings of the people was, "Who killed Cock Robin?" Tipperary has lately been pretty often before the House, and I think hon. Members have not heard the last of it yet. Well, then the police are used not for the purpose of maintaining law and order, but with the deliberate intent of forcing the people into breaches of the law, so that the police may have the opportunity of breaking their heads, and providing some apology for the hon. Member for South Hunts (Mr. Smith-Barry) with regard to the state of things into which he has brought the town. I remember the police being brought up to Cashel from Waterford, and the numbers were taken off their collars so that they might the more freely indulge in their blood-letting propensities and there might be more difficulty in detecting them. It has been a matter of complaint on both sides of the House, from time to time, that the police are not generally numbered in Ireland, and yet, in this instance, when they were numbered the numbers were taken off, in order that the men might be free to batter the people as they pleased without running much risk of detection. When these questions are brought forward the right hon. Gentleman says we have our remedy at law, and yet he takes every precaution he can to prevent the identification of these men. I am reluctant to refer to my own case, but I am bound to do so on this Vote. I want to repeat to the right hon. Gentleman the Chief Secretary the challenge I gave him some 12 months back about my treatment by the police in the City of Cork. There, too, the police have numbers on their collars, but on the particular occasion when they thought well to baton me nearly unto death, the men who had numbers were kept off the streets, and the strangers without numbers, and who could not be identified, were set to do the bloody work. The result was that I was nearly batoned to death with their rifle-butts. The Chief Secretary coolly told me then that I had my remedy in law. I challenged him then, and I challenge him now, to use the power at his command to get me the names of the four men who struck me, and I will try if there is to be any satisfaction to be got at law. I am afraid it is useless to appeal to him on the point, because he is more interested in hiding the police than in exposing them. But occasionally we are able to identify these men, and when they are brought before the Law Courts every ingenuity of the Crown lawyer is used to screen them, and if they are convicted, and a penalty is imposed upon them, it is very probable that the Crown not only pays the penalty imposed, but all the expenses of the trial as well. I hope the right hon. Gentleman will say to-night that he will take means to ascertain the names of the men who bludgeoned me in Cork. I do not propose to occupy the Committee longer. I have only to add that if he has not learnt something from the Barrow election, as I daresay he has, and he allows this state of things to go on, he may sometime tempt the people a bit too much, and perhaps an occasion may arise, when he has not his forces in large numbers, on which the people will seriously revolt. I hope he will take precautions in time, and simply use the police in their proper duties, and not any longer lend them to the landlords, for the purpose of batoning people whose only offence is that they have been unable to pay their rent, people who do not desire any quarrel with the police, or anybody else, but are quite content to await the return of the Liberal Government to power, when they know they will go back to their homes.

*(9.42.) SIR T. ESMONDE (Dublin Co., S.): I have not the least intention to detain the Committee at any length; I simply wish to bring to the notice of the people of this country the state of things in North Wexford, my own part of that county. I have never taken any particular opportunity of attacking the Royal Irish Constabulary, because I always hoped that the men might perhaps remember that they are Irishmen, and that they have Irish hearts under their British livery; that some of them might occasionally be led to act with some kind of consideration and some kind of decency towards the people from whom they sprung. It seems to me it is owing to the instructions and

encouragement they have received from the Government Bench that they have forgotten themselves, that they have been behaving themselves in a manner which is a disgrace to their nationality, and, to my mind, certainly a disgrace to their manhood. Now, as to the northern part of Wexford, it was only the other day I had occasion to ask the hon. and learned Gentleman the Attorney General for Ireland a question about a police constable, named Quigley. The answer the right hon. and learned Gentleman gave me was one which led everybody to suppose that my direct charge was an utterly bogus one. The question I asked was whether a certain police constable, named Quigley, of Courtown, County Wexford, had boycotted a Nationalist tailor. The constable ordered a suit of clothes from the Nationalist tailor, but subsequently withdrew his order upon the instructions of the Head Constable. I was told in this House that it was not a fact that the constable had countermanded his order, and that my charge of boycotting, which was in directly against the superior officer, was an utterly bogus charge. Since then I have received a letter from the tailor who was boycotted. He writes—

"Sub-constable Quigley, of Courtown, called at my house for some clothes. I measured him, and took note of his peculiar taste, and named a day he should have the clothes done. He went away, and in about 10 or 20 minutes he returned, and asked me to give him back the clothes, saying, 'Give me back the clothes; Mr. Bulger, the Head Constable, has ordered me to take them away from you.'"

Then he goes on to say that the sub-constable took the clothes away, but after three days he secretly sent them back by a man he chanced to meet. This Head Constable is at the present moment a ruler in the north of County Wexford. I believe he was originally a stable-boy in the employment of the late Earl of Granard. Since then he has risen in the world, and is now a full-blown Head Constable. He is one of the prime movers in the prosecution of the Nationalist farmers in North Wexford. I should like to bring under the notice of the Committee another case of boycotting, in which this very same constable was implicated. This is the case of a butcher, named Michael Redmond. Redmond was suspected of Nationalist proclivities. He had previously supplied the police barracks in that part of the county with meat, but the Head Constable went to him and told him he would rather take poison than taste his meat in future, and he would do what he could to take the police custom away from him, which he did with very great success. Several of the police barracks which used to deal with the man Redmond withdrew their custon at the instigation of the same Head Constable. If that is not boycotting I should like to know what is. The Head Constable has been instrumental in bringing charges against the shopkeepers, for instance, against Mr. James Redmond, butcher, against the same Mr. Michael Redmond, butcher, and against Mr. John Grey. These men were threatened with prosecution because they refused to supply certain emergency men with goods. The case against these shopkeepers was this:—Two policemen went round to the different shops of the town of Gorey, with an emergency man called Johnson, who asked to be supplied with goods. They went in the first place to Michael Redmond, who was boycotted by the Head Constable, and Johnson asked Redmond for meat. Redmond had never supplied Johnson with meat before, and told him to go to his own butcher. He had no knowledge of the man, and knew nothing of his means to pay for what he received. The same tactics were followed in the cases of James Redmond and John Grey, and the result is that the men are now threatened with prosecution by the police for boycotting. I have another complaint to bring against another police official in County Wexford, namely, Sergeant Ferris, of Gorey. I asked a question of the Attorney General for Ireland, and the answer I received was to the effect that this sergeant, against whom a report had been made as to drunkenness by a superior officer, had been placed in a sort of Supernumerary List. In January last, this man was seen in the public streets of Gorey in a hopeless condition of drunkenness, and I believe a complaint was made against him by his superior officer. A short time after that five Nationalist farmers were, on the evidence of Ferris, sent to gaol for boycotting. In the course of his evidence against these men, Ferris swore he had never been drunk, although he had been reported to the authorities and had been carried through the streets in a drunken condition. The depositions which the sergeant made at the time, and on which

the farmers were sent to gaol, were signed by the local District Inspector, who had previously made complaints against Ferris for drunkenness. This man, who swore he was never drunk, and upon whose evidence these farmers were sent to gaol, was drunk to the knowledge of the superior officer who signed his depositions. I think we have a right to ask that this Crown witness should be prosecuted for perjury, and that the men who were sent to gaol upon his evidence should be released, or that, at all events, an inquiry should be held. We have a number of good specimens of the Royal Irish Constabulary in Gorey. There is, for example, a constable called Harper. On Friday, the 20th of June, Mr. James Redmond, whom I have already mentioned, and who is particularly obnoxious to the Constabulary, proceeded to the railway station. As he was going down he met a number of policemen, who were escorting a Plan of Campaign prisoner to the Wexford Gaol. Redmond interfered in no wise, but Constable Harper ran on before him, and, just as he was going into the railway station, knocked him down without any provocation or excuse whatsoever. Redmond, who is not a strong man, was rather seriously injured, so much so that he was not able to attend to his business for the next few days. Constable Harper was beforehand with Redmond. Although he himself had done all the maltreating, he served a writ upon Redmond for assault. Nothing has been yet done to the constable. What I want to know is, whether it conduces to law and order in Ireland that members of the Police Force, individuals who are paid for the preservation of order in Ireland, are allowed to assault peaceable and well-behaved citizens, proceeding about their ordinary duties, simply at their will and pleasure, and without any punishment or any attempt at censure from those responsible for law and order. The fact is that, under the administration of affairs by the right hon. Gentleman the present Chief Secretary, the police in Ireland seem to think that they can do what they like with everybody. They seem to think they are lords and masters of the country, and that no one can get up in the morning or go to bed at night without their consent. I do not know that I should be justified in detaining the Committee any longer. I will only suggest, with all due deference to the present governors of Ireland, the desirability of maintaining real law and order, and of endeavouring to instil some small modicum of respect for law into the heads of those whom they charge with the administration of the law.

(9.59.) MR. CLANCY (Dublin Co., N.): I beg to move the reduction of which I have given notice. My hon. Frlend the Member for East Mayo referred to the extra duties the Constabulary are called upon to perform in Ireland at present. I propose to add to the list he gave. I have to call attention to that most important fact that last winter when the friends of the tenants' cause throughout Ireland determined to raise funds for the sustenance of evicted tenants, all the efforts of the Constabulary were directed to defeating the collection. There was scarcely a county in Ireland in which collections were not made, and there was scarcely a county in Ireland in which the collections were not obstructed by the police, who even took up positions at chapel doors, taking down the names of those subscribing, and otherwise intimidating them. I read, in the course of the winter, a speech made by the Chief Secretary, in which he alleged that the collections were made by the people by means of intimidation. The intimidation was all on the other side, and that there was no intimidation on our side is proved by the fact that not a single prosecution resulted from the making of these collections. Sir, I consider this a most iniquitous use of the Constabulary, and I consider all the men employed in this way might be dispensed with, to the greater peace and prosperity of the country. Another curious employment of the Constabulary is in the distribution of Unionist pamphlets. The Government apparently have not quite given up the idea that in the Recess they might still continue, with hope of success, to try to convert the people of Ireland to Unionist principles, and last winter these efforts took the form of circulation of Unionist literature. The pamphlet I refer to is entitled—

"The present position of the Irish farmer under the Land Act and the advantages accruing to the tenant for the acquisition of his holding in the most favourable way possible."

I contend that this employment of the police is illegal, and an abuse of the public money voted for police purposes in Ireland. The Government have agents enough in Ireland, voluntary agents, in the shape of various Unionist organisations for the circulation of Party literature, but they are not justified in spending a penny of the public money, or a day of a policeman's time, in the distribution of Unionist literature. The pamphlet, in the present instance, was printed without name of author or printer, and parenthetically I may remark that it is a characteristic of Unionist literature that it is published anonymously, the writers in many cases being ashamed to give their names. But a new feature has been developed in last winter's campaign of the Government, and I say that every penny of expenditure in this circulation of literature is a violation of the conditions under which the money was voted by this House. Well, Sir, the police have been turned not only into "shadowers" and distributors of anonymous literature, but they have acted as toll collectors. Last winter they collected Mr. Smith-Barry's tolls in Tipperary. On one occasion, October of last year, after the dispute between Mr. Smith-Barry and his tenants had reached an acute stage, five or six policemen, with loaded rifles and revolvers, stood at the usual Customs gaps where Mr. Smith-Barry's collectors demand toll upon stock. When the collectors were met with a refusal, the police came to the rescue of the collectors and threatened that, unless the objectors at once paid the demands, they should be arrested and carried off to the barrack, and, as a matter of fact, under the system of intimidation exercised, no less than 30 men, women, and children were arrested and placed in the lock-up of the town of Tipperary. Then, have we not heard the Chief Secretary and his predecessors repeatedly declare that police were employed at evictions simply to protect from violence the Sheriff in carrying out his official functions, and, I suppose, it will be said that the police were placed in the Customs gaps of Tipperary to protect Mr. Smith-Barry's men in the collection of tolls. But observe that there is proof that the police went much further than that; they actually themselves became toll collectors, and, in carrying out that occupation, they arrested 30 persons in a single day. I say, again, this is a new departure, an illegitimate use of the Constabulary, and that this requires defence or explanation in this House. We arraign the Constabulary system in Ireland as a system of violence and corruption. I think the Committee will have expected that some answer should have been given to the speeches of the hon. Member for Leeds (Mr. H. Gladstone) and my hon. Friend the Member for North East Cork in reference to the Charleville affair. Last year, the Committee may remember, the defence of the Chief Secretary for this assault upon the people was that the firing was a necessity, and that their lives were threatened. This was the police statement, and the right hon. Gentleman at once adopted it, and has adhered to it ever since. But, Sir, if there is any pretence that has been exploded in the Courts of Ireland it is this defence for the police on this particular occasion. The facts have been before two tribunals, before two Judges and two special juries of the City of Dublin, and in each case two points were left to the jury: Was a person in the crowd hit by a bullet; and, secondly, supposing he was hit by a police bullet, were the police justified in firing at all? Upon the first of these points the juries failed to agree, and, indeed, it was a matter upon which they might have some doubt; that is, whether the injury to the plaintiff was actually caused by a bullet or not, and, therefore, it was not necessary for them to consider the second question. But the charges of both the learned Judges, and the known opinion of the jury in the second action, leave no doubt that if the juries had been at liberty to give a finding upon the second question, they would unhesitatingly have condemned the firing of the police as an act of murderous folly. The opinion of Mr. Justice Murphy, no sympathiser with the Nationalist Party, and of Chief Baron Palles, universally recognised as an impartial Judge—and I had the good fortune to listen to one of them—was that the police fired without any justification whatever, and that if any person had been killed by the discharge of their revolvers, then that would unquestionably have been a case of murder. I should like to know, Are these expressions of judicial opinion to go for nothing; are they to be treated with as much contempt as the speeches of Irish

Mr. Clancy

Members? Are these murderers—for so in intent they were—to go scot-free, and the House of Commons to vote their salaries? Perhaps they will have promotion. I think it is our duty to put these facts clearly before the people of this country. I will now draw attention to a very flagrant and a fatal case of police violence; happily, the Charleville case was not fatal. The case of the lad Heffernan told by the police has been referred to, but with nothing like the fulness it deserves, and I may briefly remind the Committee of the facts. This case has been before a judicial tribunal—before the Coroner's Court in Tipperary—and lest to-night the Chief Secretary may indulge in one of his sneers at the Coroner for Tipperary who presided at the inquiry, I may mention at once that at the conclusion of the investigation, each of the three parties represented by the mouths of their legal advocates, declared that the Coroner had discharged his duty in a perfectly unexceptional manner. The well-known Mr. George Bolton, Crown prosecutor, and notorious throughout Ireland as a Government hack of the worst description—a man who ought to have been dismissed by the late Liberal Government; Mr. George Bolton, who appeared for the Government—and I mention this because it may add force to the terms in which I have referred to the Coroner's inquiry—said, offering no opinion on the verdict, that in the course of a long experience "he had never known an investigation conducted with greater ability, fairness, or impartiality." Mr. Redmond, who represented the next-of-kin, testified also to the fairness of the inquiry, and in this Mr. Pinfell, who represented the constables, joined. I hope that in the face of these expressions of opinion, and from such an impartial quarter as Mr. George Bolton, we shall not hear any sneers at the verdict of the Coroner's Court. Now, what was done on that occasion? The boy was murdered, and, I take it, the taking of human life is the greatest crime known to the law. What are the facts of the case? The life of a perfectly innocent boy was taken away in the public street, where it is the right of every citizen to walk without harm, and that life was taken by those whose duty it is to protect the people. Certain facts were admitted, no attempt being made at denial. First, there was a disturbance in Tipperary, and Constable Tuohy was ordered by District Inspector Carter to fire a shot; secondly, that shot was fired, and killed a boy named Heffernan. Some disturbance took place, and it is said that stones were thrown, but surely that is no justification for the taking of human life. The crowd on this occasion, according to the police, consisted of only 40 or 50 persons, but the people state that the number was under 20. But, taking the estimate of the police, there were brought against this small body of 50 people, the majority of whom were proved to be boys, 20 fully-armed constables; and in the utter absence of anything like provocation or justification for such an extreme act, the order was given to the police to fire on them, and the boy was killed. Because some stones were thrown, it is alleged that these 20 fully-armed men, who had 15 of their comrades suitably armed near at hand, were in danger of their lives from an unarmed crowd of 50 persons. Was there ever a more preposterous invention to gull the British public? Of the arrests made on the occasion, three out of the four were boys. The stone-throwing was described by the police at the inquest in the most exaggerated language, the use of metaphor being freely indulged in; but, strange to say, in spite of it all, not a policeman was seriously hurt; not one had to be medically treated, or left his work for half an hour. There is no mark of stone-throwing. I have since stood at the corner where the police were standing, and where they were said to have been assailed; there is a large window there which must have been smashed had the stone-throwing been anything like the description given. I daresay, if a reply is made, the use of explosives by the crowd will be relied on as the police defence; but, Sir, the evidence, when examined, shows this is a bogus story, this of the use of explosives. District Inspector Carter swore to hearing explosives in Henry Street—that was where the mob were not near the police—and he said he did not consider these explosives endangered the lives of his men. Constable Stacey also produced the only explosive found, and swore he heard a number of explosions in Church Street, where the people were. So it appears these explosives were used in the

midst of the people and not against the police at all. The lead pipe explosive would not, according to the police evidence, be likely to do much harm. The explosive theory is a bogus story, and the police never defended it. It is remarkable that, on this occasion, no baton charge was ordered, no Riot Act was read, no order was given to the people to disperse—the Police Regulations were altogether ignored. These regulations require a District Inspector, when he apprehends a disturbance, to go to the Magistrate of the district or his superior officers and take advice. The truth is, that this fatal shot was fired with the most utter and wanton disregard of the Police Regulations and of all principles of humanity. In these circumstances, it was impossible for the Coroner's Jury to come to any other conclusion than they did by their verdict that the police were guilty of wilful murder. And, then, how did the Government act? For very shame's sake they were obliged to prosecute those men, but they did so in a way to shield the police and to screen the murderer in defiance of the plainest rules of justice. George Bolton was directed to prosecute, he who had so often defended the violence of the police. It was a bogus trial; a transparent humbug. Out of 120 Magistrates in Tipperary, the Government sent the case before one of their Removables, Colonel Caddell, the superior officer of Inspector Carter, the person charged. In all the annals of Irish administration there is scarcely a parallel to the scandalous abuse of the forms of justice this trial afforded. Justice has been denied, and it will be a hard matter for the right hon. Gentleman to explain how. Sir, the whole position—the very policy of the Government—is summed up in the evidence of Constable Power, of Bantry, last winter:—

"The people were quiet. We dispersed them with our batons, and, after that, stones were thrown by the people."

This is a compendium of the Balfourian method of government; to force a riot, create crime, provide occupation for the police and employment for the coercion machinery. As bearing upon the character of the police, let me read a letter which was picked up in the streets of Cork, written by a police officer to a friend, who had sent him an invitation to dinner:—

Mr. Clancy

"2, York Street, Sunday Morning.

My Dear ——, This beast O'Brien came into Cork last night, and, of course, there is no knowing what villainy he may be at to-day. I have to be over at Union Quay to watch lest anything should turn up. Will you, therefore, excuse my absence?

"Yours, &c.

"Henry J. Bouchier."

This is the expression used by a representative of the right hon. Gentleman in a letter to a private friend, and the very man who wrote that letter and gave an indication of his inner spirit was the very man who was placed in charge of the escort which conveyed the Member for North-East Cork to gaol. Will the Chief Secretary disclaim connection with Henry J. Bouchier? It would be interesting to see what equivalent in the English language he would devise for the word "beast." I am afraid he has not even said one word in deprecation of the action of District Inspector Bouchier nor of any of the other villains whom he employs in Ireland. I do not care to dwell upon every incident in the campaign of the right hon. Gentleman; but I am tempted to refer to the case of Father Kennedy, to which public attention in England ought to be specially directed. In this case I hope we shall have no sneers from the right hon. Gentleman. The case, first of all, came before Judge Gibson, the Tory ex-Attorney General. The jury which tried the case was a special jury of the City of Dublin, composed of persons of all creeds and all politics. We are always told that we have a legal remedy when any outrage is perpetrated upon us. Well, Father Kennedy took the Chief Secretary at his word, and instituted an action for damages against the police. But the very first step taken by the Government was to lend the whole Crown Bar in Ireland for their defence. The Crown Solicitor defended them, the Solicitor General elect defended them, and three other Crown lawyers in Ireland took up the case. The very first thing done was to put Father Kennedy to the expense of resisting a motion to take the case before the Recorder of Cork. Father Kennedy on the 9th of February, after Mass, asked a few of his friends to meet him at his private house for the purpose of organising a collection in aid of the Tenants' Defence Association. He and his friends

were followed by three policemen, who—and this is a significant fact—stopped on the road in order to get their rifles so as to be prepared for any amount of shooting. First, they endeavoured to enter Father Kennedy's private grounds, and I should like to know what right they had to insist on doing that. They had no more right to enter those grounds than they have to pick my pocket. On arriving at the house, Sergeant Hyde, who was in command of this body of police, addressed Father Kennedy in terms of wanton insult. He said that he had seen a number of ex-criminals and persons who had been in gaol for attending meetings of suppressed branches of the National League, including persons whom the Recorder of Cork had, at the very time he was confirming their sentences, actually expressed his regret at finding in such a position, and had declared that they were the most respectable in the whole County of Cork. This Sergeant Hyde, addressing Father Kennedy, said he had seen a number of ex-criminals entering his grounds, and he told him that his own house would not shelter him from the Criminal Law, but that he intended to follow him, and if necessary would go into his very bedroom. Imagine any policeman in England saying that to a clergyman of the Established Church! Imagine a policeman following a Nonconformist Minister into his private grounds and into his house, telling him he had seen a number of criminals with him, and saying that not even his own house would protect him from the Criminal Law, but that he would follow him into his very bedroom! I have not the least doubt that not a single policeman would dare to do such a thing, and that if any policeman attempted to do it in the presence of the congregation of any clergyman in England, that policeman would get very short shrift. But we live in Ireland and not in England, and this outrage was not resented or resisted, as I think it might justifiably have been by the expulsion of the policemen from the grounds. The sergeant went in and interrogated Father Kennedy as to the object of the meeting in his house. The idea of asking any respectable man—any clergyman—what he was about to do in his private house in inviting a certain number of his friends to meet him! Surely it is a most monstrous and intolerable idea, an idea which can only be conceived under a system in which despotism enters as an essential factor. Father Kennedy, with becoming dignity, refused to answer the question. He told the sergeant that he was in his own house, and that he had a right to do what he liked there. What happened then? Why, actually, this ruffianly policeman with his followers broke in the door and forced their way into the room in which Father Kennedy and his friends were assembled. The meeting was dispersed, of course. The three policemen with their rifles would no doubt have discharged them on the spot if it had not been dispersed. At all events, Father Kennedy thought it high time to tell them to go home. Now, an action was brought against the police as I have already stated. What was the defence? It was that they were the mildest-mannered men who ever broke a skull, and, according to them, their conversation with Father Kennedy was formed on the basis of the letters of Lord Chesterfield. But they could not deny certain facts. They could not deny that they entered the private grounds and the private house of this gentleman. They could not deny that they entered them against his will. They could not deny that they entered them on the mere suspicion that Father Kennedy was going to hold an illegal meeting. They could not deny that they shadowed him after he left Mass. They could not deny that he went to make a sick call; that when he entered the room of a dying woman they put their faces into the room while he was administering the last Sacraments of the Church, because, forsooth, they thought a meeting of a suppressed branch of the National League was being held. And notwithstanding the defence and explanations of the police—notwithstanding that Mr. Carson, the Crown prosecutor, urged the supporters of the Government on the jury not to score a mark against the Government by bringing in a verdict against the police—this mixed jury, composed of Catholics and Protestants, Tories, Unionists, and Nationalists, all men in the higher walks of life—condemned this act as one of illegality, and brought in a verdict with £100 damages against the police. Here is a case from which the right hon. Gentleman the Chief Secretary cannot escape. I want to know, is he going to

pay the expenses and the damages? We will not let him escape from the case. Here is an instance in which by the law of the land it has been declared that the police have been guilty of a scandalous act of illegality. We want to know whether the right hon. Gentleman will stand by that act, and we are going to ask him to-night—I hope if anyone speaks from the Front Opposition Bench he will ask the question—is he going to pay the damages and costs awarded against the police in this case of Father Kennedy? Who, I should like to know, is paying the costs which have been incurred, and which will be incurred, in carrying the case into another Court? Is not the Government money being used for this purpose? It is ridiculous to suppose that the costs are being paid by the policemen, whose paltry savings for the last 20 or 30 years could not possibly cover the expenses of instructing three or four of the leading counsel of the Irish Bar, as has been done in this case. The Government money must have been advanced, and it must have been advanced before the jury declared that this was an act of violence and of illegality. I invite the Committee to say that the Government must not pay these damages and costs; and I assert that the House, by declaring that they shall not, will be condemning a system of violence and illegality which it is desirable should be put an end to. There is only one thing to be said, in my opinion, in defence of all this. If it is necessary that you should have your shadowings, your batonings, your firings, and your illegalities, then the only explanation is that you are carrying on a detestable tyranny which makes it requisite that you should resort to these detestable means. I can only add that the necessity for these things is not proved, and that a hundred elections like the Barrow election, if they were allowed to take place, would soon prove the declaration of our views to be correct.

Motion made, and Question proposed, "That Item C, of £874,725, for Pay of Constabulary, be reduced by £200,000." —(*Mr. Clancy.*)

*(10.45.) MR. H. HARRISON (Tipperary, Mid): I must confess that it is with considerable reluctance, in view of my short experience of the manners of this House, that I rise to address the Committee. But representing as I do the County of Tipperary, a county which has always been to the forefront of the fight in Ireland, and which is one of the counties primarily affected by the present system of police administration in Ireland, I feel that I should be failing in my duty to my constituents, who have done me the honour to elect me—almost unknown—to represent them, if I did not stand up to-night and give voice to their feelings in this matter, to enter a protest against the present *régime* in Ireland, and to give the lie in most emphatic terms, once and for all, to the absurd story sometimes circulated by supporters of the right hon. Gentleman the Chief Secretary, that in Ireland there exists any section of the population outside the immediate neighbourhood of Belfast who regard the policy and the administration of affairs in Ireland with anything other than extreme adversion. I do not propose to enter into matters of detail at any great length; it will be sufficient to state the grounds on which I support the reduction of this Vote. They are that I regard the present administration in Ireland as absolutely, radically, and fundamentally bad from beginning to end—from the right hon. Gentleman the head of the Irish Department down to the lowest and humblest constable in his employment. Its results are bad—and I do not believe there is any hon. Member on either side of the House disposed to deny it—though it may be urged that, under the circumstances, they may be palliated. The best they can say is that it is a choice of evils. That his methods are bad, and in many cases nothing short of scandalous instances have been quoted in the course of this Debate, to show they may be multiplied almost indefinitely. But they are quite sufficient to show the spirit in which the policy of the right hon. Gentleman is conceived and carried out. It is so tyrannical and so reactionary as to be entirely repugnant to the whole spirit of the British Constitution, of which in Ireland we are supposed to enjoy the benefit, a spirit not only repugnant to the British Constitution, but as we know from our experience, obnoxious to the great bulk of the electors of this country. It is a policy against which we protest and intend to protest; against which it is our duty to live in a state of continual protest. But

we are not now discussing so much the policy of the right hon. Gentleman as the methods by which that policy is carried out. When we come to consider the methods by which that policy is carried out, we are sometimes amazed at the clumsiness and lack of ingenuity displayed; but we presume that when an attempt is made to carry out a tyrannous system under constitutional forms of Government, it is necessary that these forms should be openly and indecently violated in many cases in order to carry out the policy. The methods which we find employed are peculiar. We find that those discretionary powers—those initiatory powers which are usually and rightly entrusted to the head of any great Executive Department—are decentralised and delegated to every incompetent and uneducated underling in the service of the right hon. Gentleman. We find that the right hon. Gentleman gives *carte blanche* and a free hand to every one of his servants—to the Removable Magistrates and to the police in Ireland—with the result that he himself is left in the becoming and dignified position of having to follow the lead given him by the caprice of every Removable Magistrate in Ireland, or by the truculence of every police officer. He has to follow the lead of these people; he has to adopt their actions and endorse them, and by his conduct in this House to endeavour, as far as possible, to render it impossible for us to bring home the responsibility to the proper persons for these acts. The principle upon which his underling acts in Ireland is simply this: that no supporter of the Government can do any wrong; that no opponent of the Government can do any right. In carrying out this principle we find at every turn the law strained and the administration of justice tampered with and prostituted as has been abundantly clear from the speeches of hon. Members, in order to inflict the maximum hardship and annoyance on the political opponents of the right hon. Gentleman and to shield his officers and subordinates from the just consequences and just punishment to which in many cases their acts render them liable. I confess I regret it; but the one point on which Irishmen can be taunted to-day is that there is a force numbering between 12,000 and 13,000 Irishmen to be found to do the duties which the Irish Police are called upon to discharge. I repeat that I regret it, and it is not one of the least among our complaints; these men are Irishmen, and for that reason I was glad when last night the hon. Member for Leeds said he had not the least wish to say anything against the Royal Irish Constabulary as a body. We do our best to believe in them. It is not, however, the men who are bad, so much as the system which has made them what they are. Enlisted under promises of profuse pay, promotion, and pension, every influence is brought to bear, after they are attached to the Service, to estrange them from any sympathy with those from whom they are sprung and whom they ought to support. They are allowed to drink as much and as often as they like, and are taught to believe that perjury is a part of their profession. Brutality in the execution of their duty may be discouraged in public for the sake of decency; but in private it is a matter of congratulation, and experience shows that in many cases it is at least a sure step to promotion. They are taught that drunkenness even when on duty in the streets with deadly weapons in their hands, dealing with defenceless crowds, is simply a venial act of self-indulgence which will be overlooked so long as they are not so far overcome by liquor as to be incapable of standing up or of speaking civilly to their officers. Hon. Members may laugh, but I am not talking at random, I am talking of matters which have come under my own personal knowledge. I have seen—I have myself heard deliberate perjury on the part of the police, which I was perfectly prepared to prove to the satisfaction of reasonably-minded men. I have seen the police under the influence of drink on many occasions. I have seen them with deadly weapons in their hands in the streets of Tipperary so drunk that they could not stand up straight, and I have seen them on many occasions acting with brutality to crowds of unarmed men, women, and children. And now with reference to shadowing. The statement that shadowing is only put into practice against those who are guilty of, or known to be connected with, crime is on a level, as regards accuracy, with many which have emanated from the same

quarter. I myself, when in Donegal a year ago, when the right hon. Gentleman was kind enough to arrest me, was shadowed the whole time I was on my trial, but then I might have been suspected of being connected with crime; but even after I had been acquitted, after the Removable Magistrate had said there was no evidence to suggest that I was connected with crime of any kind, I did not find that, as I was walking about the streets of Falcarragh, I was released from the torture; I still found, when talking to my friends on the road, that I had always a third or even a fourth person intervening. There was not only a detective in plain clothes, as well as a constable in uniform, behind me. As for my criminality, we have heard the charges made against the hon. Member for East Mayo by the hon. and gallant Member for North Armagh. Let me remind the hon. Member that there are different kinds of crime as well as of gallantry. There is crime arising from sordid motives and crime arising from noble motives. There is gallantry which means facing danger when there is danger to be faced. But there is a different kind of gallantry, which consists of esconsing oneself in a safe position and giving vent to torrents of braggadocio. I can only say that I prefer being a criminal with the hon. Member for East Mayo to being a gallant Member with the hon. Member for North Armagh. That part of the methods of the right hon. Gentleman which forms the crowning piece and necessary consummation of the whole process, can be more or less summed up by saying—"let not thy left hand know what thy right hand doeth." In the carrying out of that precept, the House and the country has been accustomed, for the past four years or so, to an organised attempt to suppress the truth and to misrepresent the actual state of affairs in Ireland. Day by day the right hon. Gentleman the Chief Secretary for Ireland has come down to this House and given versions of events which have occurred in Ireland, which, to those who know, are wholly irreconcileable with the true facts of the case. The right hon. Gentleman has said, in my hearing in this House, that he only wished hon. Members to go over to Ireland to see the facts for themselves. I wish they would. We would welcome them with open arms, and we should welcome still more the right hon. Gentleman himself if he would only follow his own advice, and on coming to Ireland, instead of lurking in the purlieus of Dublin Castle, come down to the country and see affairs for himself, instead of confining himself to the Reports of officials, Irremovable Magistrates, and police officers. We know in Ireland, from experience and some acquaintance with Irish affairs what these official reports are worth. We know they are tainted with the source from which they spring; we know they are contaminated by the channels through which they eventually reach this House, and we know they are still further darkened and clouded by the dialectical gifts of the right hon. Gentleman who floods the House with them. I am certain that the country will forgive us if we absolutely and entirely refuse once for all to accept these official statements as in any way representing the true facts of the case. It is necessary, perhaps, to have methods of this kind in order that the policy of the right hon. Gentleman shall be carried out. But it really is carrying the matter a little too far when a Minister in his responsible position, with his responsibility to the Crown, his responsibility to this House, and, still more, his responsibility to Ireland, to those whose welfare is trusted to his care, should come down to this House and make himself the mere tool and mere mouthpiece for conveying to this House the *ex parte* statements of incriminated persons in Ireland. We have been told by some of those people who are so peculiarly, not to say abnormally, constituted as to combine a rational habit of mind with an enthusiastic support of the right hon. Gentleman's policy, that it is necessary where you delegate authority and certain powers to subordinates, to repose confidence in the same quarter, or that a mutual lack of confidence will spring up between leaders and subordinates, and that in consequence the whole Public Service would be disorganised. That principle, it is quite true, is a good one in the main, but that it should be carried out to the extent to which it is carried out in Ireland; and that it should be considered by the right hon. Gentleman that his subordinates can do no wrong, and that without inquiry of

any kind, without taking any trouble to find out the facts of the case he should back the subordinates up through thick and thin, whatever they do and whatever they say, is a doctrine which, with all deference to this House, is absolutely subversive of the efficiency of the Public Service in every way, and is bound to lead to most deplorable results of all kinds. So much for the methods of the Irish government in Ireland. As to its results I have not much to say. The results are, of course, deplorable; and to those who see them everyday, who see the suffering inflicted on the helpless in Ireland by the policy of the right hon. Gentleman, it is well nigh maddening; but it is not of that I wish to complain. The Irish people have not gone through five centuries of oppression to be beaten down now. We do not complain so much of the harshness of the law; but what we do complain of is the way in which the law is administered in Ireland, so that when the people of Ireland have adopted, as they have adopted with the most conspicuous success, methods of constitutional and legal agitation for the ventilation of their grievances, the administration of justice should be so polluted and prostituted as to undermine the whole of their confidence in the possibility of having a pure administration of justice, and in the efficacy of constitutional agitation, thus creating a distrust so great that I venture to say that it may take years of firm and good government in our Home Rule Parliament, when we get it, to establish amongst them that respect for, and that confidence and trust in, the law which are necessary in every well-governed country.

(11.10.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): Mr. Courtney, I am very unwilling to give to the few remarks which I shall make at this stage of our proceedings anything of an unduly controversial tone. I have already spoken at some length on this Vote, and the observations I have now to make in answer to what has been said during the later portion of the Debate shall be put into as brief compass as possible. If I were disposed to criticise with severity any of the speakers who have preceded me in this Debate, certainly it would not be the speech of the hon. Gentleman who has just sat down. I listened with great interest to his first speech in this House in advocacy of a cause of which he has shown himself eminently qualified to become an ornament, and to which he is so recent a convert. If he spoke with some of the intemperance of youth, at all events he spoke with great ardour in support of convictions which I am sure he holds with all sincerity. But I would say, before he complains of the character of the information which I have to give to the House every day at question time, that he should reflect that the Secretary for Ireland, as I have had occasion to point out to the House before, necessarily has to rely in his official answers upon the information which he has received. I understand that hon. Gentlemen do not like the information which they receive. ["No!"] There is a very simple method by which they can avoid receiving it. May I suggest, with all humility and respect, that if they cease to ask questions, they never will have their tempers ruffled by receiving information? Though it is the best I have to give them, it is not apparently sufficient to satisfy their desire for general instruction. Now, Sir, the hon. Member for East Mayo, who has made the most important speech which I think has been delivered so far in this Debate, accuses me, amongst other things, of not having dealt with the various questions raised, apart from the question of shadowing, on this Vote. Well, Sir, it is quite true that in the speech delivered yesterday, I confined myself principally to that single topic, and for this, among other reasons, that we were given to understand that it was the chief topic with hon. Gentlemen opposite, and also for the reason that the other questions which have been raised are those which have become familiar, I would almost say wearisome, to the House by constant iteration year after year, not under this Government alone, but under the Government preceding it. The criticism is identical with the criticism of former years. The answers I have given are identical with the answers given in former years, and I do not know that it is necessary at any great length to occupy the attention of the Committee with such general questions as the cost of the police, the numbers of the police, the numbering of the police, or the vague, the general accusation of police

brutality, supported by official hard-heartedness, which I have heard brought forward by hon. Gentlemen opposite, and so often replied to by occupants of the post which I now have the honour, and possibly the misfortune, to fill. But, Sir, I will deal with very great brevity with one or two specific cases brought forward. The hon. Member for North Cavan, who spoke last, alluded particularly to two cases—the case of the boy Heffernan and the case of Father Kennedy. The case of Heffernan is simply this: There had been an attack by the roughs of Tipperary upon the houses of those tenants of the Member for North Hunts who had bought in their interest in 1889. A series of serious riots occurred at the time. On the occasion of one of these riots two separate mobs attacked a small body of police severely, and, after a lengthened provocation, one constable was ordered by the sergeant—I think it was the sergeant in charge of the Police Force—to fire, which he did, having a charge of buckshot in his rifle.

MR. CLANCY: It was the youngest member of the Force—an inexperienced constable.

MR. A. J. BALFOUR: He fired one charge, and I believe some of the buckshot struck the foot of Heffernan. Tetanus set in, and the boy died. As far as I can judge of the case, I do not put the chief blame on the police. The case went before the Coroner's Jury, and, after the Coroner's Jury returned a verdict of "wilful murder," the Superior Courts released the accused on bail. They were brought up in the ordinary course before the Magistrates, who refused the information, and the case did not proceed further. As far as I am able to judge of the case, the Magistrates decided absolutely in accordance with the evidence before them.

MR. CLANCY: I beg to state——

THE CHAIRMAN: Order, order! The hon. Member is not entitled to interpose unless the right hon. Gentleman gives way.

MR. CLANCY: Then, Sir, I ask leave to state that the legal representatives of the right hon. Gentleman took quite a very opposite view to that which the right hon. Gentleman has expressed.

MR. A. J. BALFOUR: I do not agree with the hon. Gentleman. I fail to see how the Government or the police were to blame in this matter, in which the ordinary procedure was adopted. As to the case of Father Kennedy, that rev. gentleman had been twice condemned by the Court for holding illegal assemblies. He had been the author and the chief promoter of the Plan of Campaign on the Leader estate, and he was directly responsible for all the sufferings that had resulted from it, and therefore, if the police suspected him of desiring to hold an illegal assembly, they certainly committed no serious outrage upon the character of the rev. gentleman. But this is not a matter on which it is competent to me to discuss the evidence at the trial, because, as the hon. Member must know, a new trial of the case has been ordered.

MR. T. M. HEALY: The Crown, in order to humbug this House, has ordered a new trial to take place.

THE CHAIRMAN: Order, order!

MR. A. J. BALFOUR: A new trial has been applied for, and as the case is pending, it is not proper that this House should discuss it.

MR. CLANCY: That is why it was done.

MR. A. J. BALFOUR: The next case raised is the case of District Inspector Considine. That case was raised by the hon. Member for Leeds and the hon. Member for North-East Cork. I have been told that I made many statements in regard to the character of the town and the nature of the assaults, which have been exploded by subsequent investigation. I made them on the best information I could obtain from the Nationalist Press of the day. It distinctly stated that a large, riotous, and excited mob were assembled at the station. Apparently, according to hon. Gentlemen below the Gangway, it was all lies, though it was a statement made by the reporters of the Nationalist Press, that a large and excited mob assembled at the station, and that they invited the hon. Member for North-East Cork to leave his carriage and to defy the police. I am told—I do not know whether it is true—that it is stated in the Irish Press that a third trial is to be called for, and, although this was denied last night, I have no ground for believing that the statement which appears in the Nationalist Press is otherwise than accurate. At all events, until we know more about that, it would be absurd for me to give any judgment upon the matter which was

submitted to me, namely, what course the Government are going to pursue with regard to the costs the police are subjected to in the trial. These are the chief points, apart from the matter brought forward by the hon. Member for East Mayo in reference to shadowing, on which previous speeches render it necessary for me to trouble the Committee.

MR. W. REDMOND (Fermanagh, N.): What about the cases in which perjury was proved against the police when employed as note-takers?

MR. A. J. BALFOUR: I recollect one case brought up last year, but I am not aware that any new case of the kind has been mentioned.

MR. W. REDMOND: Because you walked out of the House.

MR. A. J. BALFOUR: I am sorry I should have been absent a short time, and it is a most unfortunate coincidence that the few minutes I was away were those in which the House was favoured with the observations of the hon. Member. I come now to the interesting and important speech of the hon. Member for East Mayo. One of the most important parts related to the case of Grant, which was before the Committee last night. I have attempted to investigate the case since last night, and the further knowledge I have been able to obtain entirely bears out the argument I advanced previously. The right hon. Gentleman the Member for Mid Lothian asked me three questions which were on a paper he handed to me across the Table. Those questions were—first, whether the watching policeman was in plain clothes or in uniform; secondly, at what distance did the policeman stand from the person watched; and, thirdly, whether the policeman's presence was made known to the person watched. From the information I have received the answers to those questions are these: It is certain that the watching policeman was in uniform, and that he was distant from Grant about 10 yards when he was at work, and three or four yards at other times, and that the fact that Grant was watched was purposely made known to him, and that the shadowing was relaxed in the latter part of 1883 by order of the Inspector General. Thus in all three points the case was precisely on all fours with the recent cases. I am accused of relying upon police evidence alone. It is clear that, as Chief Secretary, when asked for details I must rely upon official sources; but when I was dealing with this question yesterday I was relying not upon official sources but upon Nationalist sources. I quoted Nationalist papers and Nationalist resolutions, or facts brought out on trials in Courts of Law. The accusation that my version was coloured by official prejudice is absolutely without foundation. Any man who has taken the trouble to make himself acquainted with what has been written in Nationalist papers, both for and against the system of shadowing and boycotting at fairs, must know that the account I gave of those transactions were not in the least degree exaggerated, but that it accurately represented the views of Nationalists themselves as to transactions for which they are wholly responsible. The hon. Member for East Mayo admitted that he was in a broad sense responsible.

MR. DILLON: I said I might be indirectly responsible for the adoption of boycotting, but that I could not be held to be responsible for all the acts of those men who were engaged in it.

MR. A. J. BALFOUR: I agree; the hon. Gentleman is not responsible for the actions of all these men; he is responsible for the acts of those men which are undertaken in direct and perfect accord with the policy which he recommends. I do not bring forward the action of a single vigilance man which was not intended to carry out precisely the policy for which the hon. Gentleman owned himself to be responsible. What I called attention to was the following by these vigilance men of the farmers and occupants of evicted farms who attempted to bring to market the stock they raised on those farms. I showed that they were shadowed, interfered with in the execution of their lawful calling, ruined so far as it was possible thus to ruin them; and I asked the Committee whether it was not ten times more guilty and productive of ten times more misery and suffering than any shadowing for which the Government are responsible. I say I did not bring before the House cases of exceptional action on the part of these vigilance men. I brought before the House simply their action in accordance with the general policy for which the right hon. Gentleman is

responsible. And I say that being, as he admits he is, responsible for that general policy, he cannot cast from himself the further responsibility with which I have endeavoured to saddle him. He says that these vigilance men, for whom he is, broadly speaking, responsible, were guilty of no violence. They were not guilty of violence, as far as I know; and, if they were, I acquit the hon. Member of having recommended the violence. I do not think he wishes that his policy should be supported by violence. But I say that boycotting is productive of more suffering than much violence, when a man, whose whole livelihood and that of his wife and children depends upon his selling the stock raised upon his farm, is prevented from selling that stock by the policy of hon. Gentlemen opposite. [*Home Rule cries of*, "Another man's farm."] The farm which he legally occupies. That man has more to complain of than if he were the victim of a dozen common assaults, and the hon. Gentleman knows it. If not he, some of his Colleagues have openly boasted in Ireland that the suffering inflicted by boycotting is more than the suffering inflicted by shooting, and therefore it is a thousandfold more severe than the kind of violence which the hon. Gentlemen does not recommend. The hon. Member attempted to demolish the case I made yesterday with regard to boycotting at fairs by telling us that the policy which he recommends in Ireland in no sense differs from the policy which the Trade Unions have legally and with impunity adopted in England. I traverse that statement absolutely. Pickets in England—at the dock strike, for example—are not allowed to intimidate those that are coming into work, and if they do they break the law. If they inflict any suffering, if they threaten or coerce men who desire to obtain occupation, they are subject to legal penalties. Now, I want to know what parallel there is between the procedure of these pickets who cannot threaten, who cannot coerce, and who cannot use violence, and the procedure of the shadowers at fairs who ruin their victims, and whose object is to ruin their victims? I say there is no parallel. The version of the English law which the hon. Gentleman has given is erroneous as regards Trade Unions, and absolutely erroneous as regards shadowers at fairs. We have had in England a legal case absolutely on all fours with these cases in Ireland. We have had a case of shadowing at fairs and of boycotting at fairs. [An hon. MEMBER: Where?] At Salford. It was tried before an English Judge and an English jury. There was no hesitation as to the law laid down by the Judge; there was no hesitation as to the verdict given by the jury; and the Judge and the jury alike agreed that the law—not the coercion law, but the common law of England and Ireland—was distinctly violated by these shadowers at fairs. Therefore, it is not open to the hon. Gentleman to pretend that in denouncing his subordinates as criminals in this matter we are in any way relying upon exceptional Irish legislation, or that we are not simply vindicating the law common to both countries. The hon. Gentleman told us that though we shadowed boycotters at fairs we did not shadow moonlighters. He is mistaken. We do shadow moonlighters, wherever there is any adequate suspicion or substantial ground for believing that men are likely to engage in that criminal practice.

MR. DILLON: I am sorry to interrupt the right hon. Gentleman; but will he just explain to the House why did not the police shadow those moonlighters in the Whelehan case, where it was known a fortnight beforehand who the men were, and what would be the place of attack?

MR. A. J. BALFOUR: The hon. Gentleman will see that the method adopted by the police for dealing with crime must necessarily depend upon the nature of the crime and the circumstances under which it is committed. Shadowing is, in England and Ireland, often the best way to prevent crime, but it is not always. It must necessarily depend upon the circumstances of the case what course those responsible for law and order will adopt. I have been told that this Government have specially invented for their own behoof this particular method of closely following those suspected of boycotting—that they have put the system of shadowing in force in a manner which was never practised by any previous Government, or by any other Government of the civilised world. In one sense I am not prepared, and I am not concerned, to deny that statement. Show me any civilised

country in the world which has to deal with this question of boycotting.

An hon. MEMBER: They have all to deal with crime.

MR. A. J. BALFOUR: This is crime. It has been declared to be crime by the Courts of England, as well as the Courts of Ireland. Show me the Government that has to deal with this particular form of crime, and when you have shown me such a country, and that it has adopted different and less severe methods for meeting it, then I admit that I stand upon my defence, and have to prove that we do not adopt an unduly severe method. But if the crime is this—a man goes to a fair and speaks to the auctioneer when the cattle of a boycotted farm are to be sold, and if he practically makes it impossible, by this and similar methods, that the cattle should be sold, then the shadowing must be a close shadowing to prevent such conversation, and it is not sufficient to follow the man at a distance of 20 or 30 yards. The character of the shadowing must depend upon the character of the crime; it is adopted to prevent crime; and I apprehend that every other Government which had to deal with a similar kind of crime would find itself driven to adopt similar methods of dealing with it. The hon. Member for East Mayo (Mr. Dillon) stated that the police were becoming demoralised. All the information which I have been able to obtain on that point directly contradicts the assertion of the hon. Member. I believe that the discipline of the Irish Constabulary was never better than it is now. I go further. I believe that for many years past, over the greater part of Ireland, the Irish Constabulary have never been in better relations with the people. I do not, of course, allude to those dark spots in Ireland where the hon. Member and his friends are specially carrying out their policy. There I admit that the police and the people are brought into constant conflict, and that the relations between the two are strained. But speaking of Ireland as a whole, I do not think that the relations between the police and the people have been better, and I am certain that there has not been a period in which the discipline of that admirable Force has been maintained at a higher level. I always regret to hear hon. Gentlemen opposite attack the Irish Constabulary, for every Irishman ought to be proud of that Force. It is composed entirely of Irishmen and principally of Roman Catholics, and every Irishman who values the credit of his country ought to make a point of doing full justice to a Force which under the greatest difficulties, and sometimes under the greatest temptations, has with great temper, tact, discretion, and courage carried out the duties entrusted to it.

(11.43.) MR. J. MORLEY (Newcastle-upon-Tyne): I will not stand for many moments between the Committee and a Division. If I thought that what the right hon. Gentleman has last said were true, namely, that the relations between the Constabulary and the people were never better than they are to day, I confess that one very strong argument against the policy of the right hon. Gentleman would lose its force. But what I want to know is, who it is that tells him this? He began his speech by making a remarkable admission, although we knew it before, that he can only know of what goes on in Ireland from what is told him through official sources.

MR. A. J. BALFOUR: What I said was that my answers to questions about particular matters are, of course, drawn from official sources, and they would be worthless if they were not so drawn.

MR. J. MORLEY: But the right hon. Gentleman will not deny that he has no means of gathering what are the relations between the Constabulary and the people beyond the monthly Reports from officials; and perhaps the word of the hon. and gallant Gentleman the Member for North Armagh. I am glad to find that the right hon. Gentleman has done me justice in regard to one point. I have never during the last four years said one word in disparagement of the Royal Irish Constabulary. Therefore, I, at all events, am not open to the charge that he has thought fit to bring against this side of the House. I recognise as much as he does the enormous difficulties under which the Royal Irish Constabulary do their work, and it has, indeed, fallen to me to defend them from attacks made on them by hon. Gentlemen sitting on the right hon. Gentleman's own side of the House which were far more severe than any which have been made

by hon. Gentlemen on this side of the House. If the Force is as good as it is, this is not due to the right hon. Gentleman. If that splendid Force could be demoralised it would be demoralised by the course which the right hon. Gentleman uniformly takes in two particulars. The first is that in this House he insists upon backing them up through thick and thin, whether they are right or wrong. During the three and a half years of the right hon. Gentleman's administration there has not been a single instance in which he has admitted the shadow of a fault on the part of any member of the Force. That may be a necessity—I think it is a necessity—of the policy with which he is so unfortunately identified. The knowledge in the minds of District Inspectors, Inspectors, and the men of the Force, that no matter what they do they will be defended through thick and thin in this House against the Irish Representatives, must have a very demoralising effect. But there is another practice of the right hon. Gentleman which is equally demoralising, namely, the practice of uniformly refusing to grant any inquiry into alleged misconduct on the part of the Constabulary. This is a most fatal course to pursue in the interests of the Royal Irish Constabulary themselves. I am not going again to refer to the Belfast case. I regard my action in reference to that with satisfaction. The moment I found that charges were made against the Constabulary, I requested the attendance of the Inspector General, and I said, "Here are certain charges made against the Constabulary, we believe that these charges are unfounded, but in order to satisfy the public and ourselves, in order to satisfy the House of Commons, let us have an inquiry; from such inquiry we have nothing to fear." That was the course that the right hon. Gentleman ought to have followed. He said some weeks ago that there are no precedents for such an inquiry. Well, I remember one which occurred some time before I entered the House, and the right hon. Gentleman will, no doubt, be able to identify it if he refers to the files in his Office. A certain traveller was seriously wounded by a constable in a street riot in one of the suburbs of Cork in February, 1881. It was a time of great excitement, the hon. Member for Cork having just been arrested, yet the Chief Secretary of that day, Mr. Forster, granted an inquiry, and a sum, I think, of £300 was awarded to the injured man. If the right hon. Gentleman had then been in office he, no doubt, would have refused it. Now, with regard to the Salford case, the right hon. Gentleman has been inaccurately informed. The two men were indicted for conspiracy at common law, and also for the offence of picketing under the Conspiracy Act of 1875. The jury returned a general verdict. If the men had been found guilty at common law, as the right hon. Gentleman said just now, they could not have been sentenced to hard labour. But they did receive hard labour, and therefore they must have been convicted under the Statute. The right hon. Gentleman must now admit that he inadvertently misled the House on this matter. Sir, upon shadowing so much has been said that I am not going to add more than a word or two. In answer to the right hon. Gentleman the Member for Mid Lothian, the Chief Secretary has given us the three required particulars in the case of Grant. It appears that the constable who followed him was in uniform, but followed him at a distance of ten yards—not as Father Humphreys was followed, with one constable at his shoulder and another at his heels. That makes all the difference. The case of Grant was a case in which the man was suspected of murder, and I, for one, admit at once the absurdity of supposing that in a country so disturbed as Ireland has been, and so rife with those dangerous elements which form themselves in bad times into secret societies, it is not the duty of the Executive Government to keep their eye on people who are believed to be bad characters. We do not deny that. What we do deny is that you have a right, that you have even a legal right, to inflict what is, in effect, a punishment on a man like Father Humphreys, on a man who has never been brought to trial, and whom you never intended to bring to trial, simply on the ground of criminal suspicion. That is a course which cannot possibly be defended, and those who are better skilled in the law than I am hold that such action on the part of the Government is a distinct breach of the law, and if it took place in any other country but Ireland, if there were in Ireland an administration in

which the people could have the slightest confidence, I have no doubt it would be tested in law. What the right hon. Gentleman said upon the illegality of molestation by boycotters was entirely beside the point. It was an evasion of the true issue, and every argument he brought forward as to the illegality of molestation by boycotters was an argument against the legality of his own action. Well, Sir, it is very important that we should divide to-night on this part of the subject. We shall have an opportunity on other parts of the proceedings of going further into the subject, and I will only add that what the right hon. Gentleman began his speech with to-night is the strongest argument that can be adduced for the necessity of a change in the form of Government in Ireland. He began by asking hon. Gentlemen below the Gangway why, if they objected to official information, they took the trouble to ask him questions. He says the only answers he can give are official answers. Is not that the foundation of our case? Is not that system which the right hon. Gentleman says, and truly says, is inseparable from his position, a reduction of representative Government to a downright farce? The right hon. Gentleman will hear much more of that frank admission with which he was good enough to begin his speech to-night. The right hon. Gentleman has commented on the speech to which we all listened with great interest from the hon. Member who has just been returned to this House—I mean the Member for Mid Tipperary. I wonder when the right hon. Gentleman talked about the relations between the Constabulary and the people being better than they ever were, and about the success of his administration in Ireland—I wonder he does not reflect when he sees one prisoner of his after another marching by—to-day from Tipperary, yesterday from Galway, to-morrow from somewhere else, and taking the oath at this Table. That is my test. That is the test of the right hon. Gentleman's administration that I regard. When he gets one single Member returned on his side from a National district in Ireland, then I will admit he may have made some mark on public opinion—then I will admit there may be some promise of the success of his administration; but he has not adduced one single argument, either in his violent speech last night or in his more temperate speech to-night, which shakes the conviction with which we began the Debate.

(11.55.) The Committee divided:—Ayes 219; Noes 291.—(Div. List, No. 177.)

(12.15.) MR. A. J. BALFOUR: I beg to move that the Original Question be now put.

Motion made, and Question proposed, "That the Original Question be now put."—(*Mr. A. J. Balfour.*)

House cleared for a Division.

MR. T. M. HEALY (speaking seated, and with his hat on): Mr. Courtney, I desire to ask you, as a point of order, whether you had put any Question from the Chair with regard to which the right hon. Gentleman has moved the Closure?

THE CHAIRMAN (speaking seated): The Question had been already put from the Chair.

MR. T. M. HEALY: The Question put from the Chair was the omission of Subhead C, which was negatived.

THE CHAIRMAN: The Question had been put from the Chair.

(12.15.) The Committee divided:—Ayes 290; Noes 219.—(Div. List, No. 178.)

Original Question put accordingly,

"That a sum, not exceeding £889,490, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1891, for the expenses of the Royal Irish Constabulary."

(12.30.) The Committee divided:—Ayes 290; Noes 202.—(Div. List, No. 179.)

It being after midnight, the Chairman left the Chair to make his report to the House.

Committee to sit again to morrow.

Motion made, and Question proposed, "That the Resolution be reported on Thursday."

MR. T. M. HEALY: I wish to ask, in view of the sensational proceedings in Committee to-night, whether it is in-

tended to take the Chief Secretary's Vote first on Thursday, and whether, with regard to the proposal now made for the first time, and which has not received even the approval of the Public Accounts Committee, of taking the Votes for the Chief Secretary and the Lord Lieutenant as one Vote, these two Votes will be included in one common closure, or whether we shall have the privilege we have hitherto enjoyed of a closure for each Vote? This is the first time, as I understand, that these Votes have been grouped as one. I do not know how the Chair intends to treat them; but for the sake of information I shall be glad to know what is intended, and also, in view of the number of Members who have been shut out from discussion by to-night's closure, whether the Report of this Vote will be taken first on Thursday?

MR. A. J. BALFOUR: No; I think the first business on Thursday will be the Lord Lieutenant and Chief Secretary Vote. I may point out that it is very difficult to distinguish between a Debate on the Police Vote and a Debate on the Chief Secretary's Vote, owing to the manner in which the Votes are treated by hon. Gentlemen opposite; therefore, I think that any speech which any hon. Member has been unfortunately prevented from delivering to-night will be quite in order on the Chief Secretary's Vote.

MR. T. M. HEALY: There were two questions I asked, and perhaps the Secretary to the Treasury can give me an answer as to whether the Votes for the Lord Lieutenant and the Chief Secretary will be taken separately, or will one common closure swallow the two?

*THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I am afraid I am not an authority upon the closure; but the salaries for the Lord Lieutenant and the Chief Secretary will be taken as one Vote as they appear on the Estimates.

MR. T. M. HEALY: I beg to give notice that I shall resist the two Votes being taken together.

Question put, and agreed to.

Resolution to be reported upon Thursday.

Mr. T. M. Healy

TRUSTEES APPOINTMENT BILL [LORDS]– (No. 364.)

Bill considered in Committee, and reported without Amendment; read the third time, and passed.

PARTNERSHIP BILL [LORDS].

Bill read the first time; to be read a second time upon Friday, and to be printed. [Bill 373.]

FINANCIAL RELATIONS (ENGLAND, SCOTLAND, AND IRELAND.)

Order for appointment of Committee read, and objection taken.

DR. CLARK (Caithness): In reference to the proposed names for this Committee, may I ask is it not desirable that Scotch, Irish, and Welsh Conservative Members should be represented on a Committee of this character?

MR. STUART RENDEL (Montgomeryshire): I would observe also that the nominations do not include one Welsh Member.

*MR. JACKSON: I can only say that the names are selected according to a method with which hon. Members are familiar, and I am only responsible for a part of them.

Motion deferred to Thursday.

THE METROPOLITAN POLICE.

On the Motion for adjournment:—

MR. F. SEAGER HUNT (Marylebone, W.): May I ask the Home Secretary whether he can give the House any information as to the conduct of the Metropolitan Police?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am happy to inform my hon. Friend that the news I have received this evening from all parts of London is excellent. Not a single man has failed to go out on his duty to night, and the temper and spirit exhibited throughout the Metropolitan Police are admirable.

DR. TANNER (Cork Co., Mid): Has there been any collusion, any pre-arrangement with reference to this question?

House adjourned at five minutes before One o'clock.

HOUSE OF COMMONS,

Wednesday, 9th July, 1890.

A House was not made until 12.30, after Mr. Caldwell (Glasgow, St. Rollox) had moved a Count.

ORDERS OF THE DAY.

METROPOLIS MANAGEMENT AND BUILDING ACTS (AMENDMENT) (RECOMMITTED) BILL.—(No. 356.)

*SIR J. LUBBOCK (London University): This is a Bill which contains clauses of a complicated and technical, but not of a contentious character, but as it was not opposed upon the Second Reading, and passed through Committee without Amendment, I hope that I may be allowed to take the Third Reading now.

Question, "That the Bill be now read the third time," put, and agreed to.

Bill read the third time, and passed.

BANKRUPTCY BILL.—(No. 362.)

As amended, considered.

*SIR A. ROLLIT (Islington, S.): I beg to move, after Clause 14, to insert the following clause:—

"There shall be repealed so much of Sub-section one of Section fifty-five of the principal Act as limits to a period of three months the time within which a Trustee may disclaim onerous property; but nothing under this section shall affect the provisions of Sub-section four of that section."

The object of the Amendment is to restore the law to the position in which it stood in 1869, by reducing the very great costs which are incurred in consequence of the numerous disclaimers which are almost inevitably made under the existing law.

A Clause (Disclaimer)—(*Sir Albert Rollit,*)—brought up, and read the first and second time, and added.

*(12.37.) MR. J. KELLY (Camberwell, N.): I have now to move the clause which stands on the Paper in my name, namely,

"Section forty-two of the principal Act, relating to power of landlord to distrain for rent, shall be read and construed as if the words 'six months' rent' were substituted for the words 'one year's rent.'"

The law of distress was quite lately greatly modified, and whereas a landlord was able, some years ago, to distrain for two years' rent, he is now limited to one year. It is said that, in some measure, this is an attack upon the rights of the landlord. I am not concerned to answer that allegation, for I only ask the House to deal with the rights of landlords in the event of bankruptcy. It does seem to me that a landlord, at the present moment, enjoys very unfair rights as compared with those enjoyed by other creditors. I would ask the House to remember what the position of the landlord is, as distinguished from that of an ordinary creditor. What does the landlord part with and risk? He risks, in the shape of rent, simply the interest of his money. An ordinary creditor risks a portion of his capital, and under circumstances which are to the great advantage of the landlord, because if the landlord allows his tenant to get into arrear he can always pay himself his interest out of the capital of the unhappy creditor. In this clause I propose to provide that the landlord shall only have such rights as are reasonable. If he chooses to allow his rent to get into arrear for 12 months that is his business. There is not the smallest reason why he should allow his rent to get into arrear at all; on the contrary, he could adopt the system prevalent abroad by which rents are paid in advance. By this clause I provide that the landlord may get six months' rent, and if there is any balance of rent due to him then he will only come in for that with the other and by far the more important creditors. When this Bill was before the Standing Committee this Amendment was moved in a lengthy and, I am afraid, somewhat technical form by myself for the hon. Member for Northampton (Mr. Bradlaugh). No real attempt was then made to go into the merits of the question, and although acting for the hon. Member I thought it wiser to offer to abandon part of the clause in order to secure a moderate change in the law his proposal met with a very cool reception. Under these circumstances, and in order not to weary the House, I have

placed a new clause on the Paper which will, I think, effectually carry out the real object of the longer clause drawn up by the hon. Member for Northampton. All I desire is that the unfair privileges which the landlord at present enjoys shall be restricted.

Clause (Amendment of s. 42 of the principal Act,)—(*Mr. John Kelly,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

(12.41.) THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I hope the House will not enter upon this question. I may remind my hon. and learned Friend that in Committee an attempt was made to extend the interest of the landlord by giving him his rent in full, even after proceedings in bankruptcy had been commenced. That proposal was resisted, and resisted successfully, and this is an attempt to cut down the right of the landlord to get his rent prior to bankruptcy. If we are to enter into the matter, it will undoubtedly raise other and very difficult questions as to what the rights of the landlord are, and will lead to a long discussion and Amendments, if not here, certainly in another place, and the result may be that other and more valuable provisions in the Bill will not be passed. It may be possible on some other occasion to deal with the question of what the landlords' rights are, and to see how far they ought to be altered; but I would respectfully submit that in regard to this particular question the cutting down of the right to recover rent from 12 to 6 months cannot be properly dealt with without taking counter proposals into consideration, and seeing whether in other respects the rights of the landlord ought not to be altered, and in some respects slightly improved. My right hon. Friend the President of the Board of Trade strongly resisted in Committee the proposition that the landlord should be put in a better position. He was successful, and I think it is not desirable that we should now place the landlord in a worse position.

(12.45.) MR. J. CHAMBERLAIN (Birmingham, W.): I am sorry that the Attorney General should oppose this Amendment, which appears to me to be an extremely reasonable one. The position is not exactly the same as it was when the Bill was before the Grand Committee. The Amendment is objected to on the ground of its complicated character, and the fact that it might raise a number of other questions which neither the Standing Committee nor the House have had time to consider. Now, the proposal is an extremely simple and intelligible one. It deals with the existing law, and it proposes to substitute six for 12 months. The Bankruptcy Bill of 1868 proposed to do away altogether with the preferential rights of the landlord, but in deference to the opinion then expressed, the present clause was inserted. The argument then was that the landlord was in a different position from all other creditors, because he was unable to refuse the credit which constituted his case. He could not turn out his tenant, and although he might become aware in the course of the term that the tenant was a bad tenant he was obliged to allow him to remain until, at all events, there was an arrear of rent. It is said that he ought always to proceed to collect. That is a valid argument, in regard to a certain amount of arrears; but the question is, what is the amount of arrears that should be taken into consideration in order to justify the landlord being placed in a different position from that of an ordinary creditor, and to entitle him to a preferential claim. I may remind the House that the law was altered in regard to the preferential claim of the landlord from two years to one, and the alterations which are now proposed certainly justify a further change from 12 to six months. I do not think that the acceptance of this Amendment would in any way prejudice the passing of the Bill in another place. If the House of Lords choose to throw out the clause, it will then be for this House to say whether they will insist upon it or not. I certainly think that the principle is a just and a sound one, and I do not think that the landlord ought to have any preferential claim which should extend beyond six months.

*(12.48.) SIR A. ROLLIT: I do not think anyone can doubt the last point of the right hon. Gentleman who has just addressed the House, namely, that this question raises a matter of principle, and one that is well worthy of discussion. Under ordinary circumstances, I confess that my own leaning would be in that direction, but at the present moment we are only considering one part of a very wide and important question. When the matter came before the Standing Committee it formed part of a number of clauses which dealt effectually with the whole subject; but I think the present proposal is inferior to that which was submitted by the hon. Member for Northampton, who proposed to give to the landlord, not the right of distraint, but the substitution for it of a limited preferential payment. Now, I think that of the two modes the preferential payment is much the better. For the question is whether a man shall be allowed to be the judge in his own case, and it is perfectly well known that in the administration of the bankruptcy law some landlords may exercise their right of distraint in an arbitrary way by forcing an undesirable and hasty sale of the estate, and the like, and when the hon. Member for Northampton introduced his proposals I certainly thought that they were well worthy of consideration. But at the present moment there is only one part of those proposals left, and it is one which is likely to raise very debateable matter, not only here but elsewhere. It will certainly be seriously contested in the House of Lords, and, notwithstanding the view of the right hon. Gentleman opposite, who has done so much to amend the bankruptcy law, I venture to hope that the proposal will not at the present moment be pressed. I hope that my hon. Friend the Member for Camberwell (Mr. J. Kelly) will be content with having raised the question again, and that, with the consent of the right hon. Gentleman opposite, he will now accept the decision of the Standing Committee.

(12.50.) MR. P. M'DONALD (Sligo, N.): I am altogether in favour of an Amendment in this direction, and I should be very glad to see a similar alteration made in the Irish Bankruptcy Law. I believe that the rental rights of landlords are far too much considered in all matters of this kind. I do not think that a landlord ought to have a priority of claim over a general and ordinary creditor, and I entirely agree that instead of the right of distraint a preferential right would be more equitable. But, at the same time, I do not admit that a preferential right is a right that ought to be conceded to a landlord, because I think that his claim should be on all fours with that of all other creditors.

*(12.52.) MR. CHILDERS (Edinburgh, S.): If there were any fear that the House of Lords would throw out this Bill in consequence of this clause I should feel inclined to take the same view as the Attorney General; but I am of opinion that the worst thing that could happen would be the rejection of the Amendment, and the House would have plenty of time when the Bill came back to consider whether they would insist upon it or not. The Amendment is certainly a good one, and I hope the House will adopt it.

Question put, and agreed to.

Clause added.

*(12.55.) MR. J. KELLY: The next Amendment I have to move is the insertion of the following clause:—

"A deed of arrangement to which 'The Deeds of Arrangement Act, 1887,' applies, and which has been, or is intended to be, duly registered under the Act, and has been, either before or after such registration, assented to by a majority in number and three-fourths in value of the creditors, as shown by the affidavit as to liabilities filed in accordance with section six, sub-section one, of the said Act, shall not be deemed to be an act of bankruptcy under the principal Act or this Act, and when registered under 'The Deeds of Arrangement Act, 1887,' shall be binding on the minority in number and in value who have not signed or assented to the said deed.

Provided that, in estimating the majority in number, creditors for any amount less than ten pounds shall not be reckoned."

One of the great difficulties under the Bankruptcy Act in respect of deeds of arrangement has been to obtain the assent of all the creditors, owing to the rapacious and unscrupulous requirements of the smaller creditors. The power they have of extorting the payment in full of a debt by refusing to assent to an arrangement has been one of the greatest

possible difficulties which commercial men in this country have had to deal with. I would ask the House seriously to consider the question. How is it possible that the large creditor can act in a manner prejudicial to the claims of the small creditor? The larger creditor wants to get as good a dividend as possible, and the more he gets the greater will be the dividend for the small creditor. All I ask is that the unscrupulous use which the small creditor has hitherto made of his power shall in future be confined within reasonable limits. The simple object of the clause is to protect the honest creditors against unscrupulous small creditors.

Clause (Deeds of arrangement binding on minorities,)—(*Mr. John Kelly,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

*(12.57.) SIR R. WEBSTER: The Amendment of my hon. and learned Friend is intended to deal with one of the most complicated matters that can be suggested, and the feeling of the Grand Committee was against any such attempt being made in the present Bill. It is a proposal whereby large creditors will be able to force an arrangement upon small creditors. According to a Return obtained at the instance of the right hon. Member for West Birmingham (Mr. J. Chamberlain) it appeared, if I remember right, that in 10 large County Court districts in the course of six months, out of 20,000 debts 14,000 were under £20 and 10,000 under £10. The hon. and learned Member proposes that a deed of arrangement, assented to by the larger creditors, shall be binding upon the small creditors. I am satisfied, in my own mind, that the clause now proposed would not work properly, and all who have had any experience of the working of the Bankruptcy Act will agree with me that in dealing with the question it will be necessary to protect the small creditor against the undue weight of larger creditors preventing the administration of the estate in bankruptcy.

*(12.59.) SIR J. LUBBOCK: I am in favour of the clause with some modification of its details. The question is not so much whether a particular course is desired by large or small creditors, as whether the majority of the creditors consider that it is the most efficient way of winding up the estate. But as I understand the Attorney General to promise to consider the question in a separate Bill, I think my hon. and learned Friend would prejudice his case if he were to go to a Division. I would, therefore, suggest that he should content himself with having brought the matter before the House, and that he should accept the assurance of the Attorney General that the whole question will be dealt with subsequently.

(1.0.) MR. SINCLAIR (Falkirk, &c.): I have had a great deal to do with creditors' meetings in various places; and, as I know the extreme interest that is taken in this subject, I will join with my hon. Friend in urging the withdrawal of this proposal—not because there is anything objectionable in the clause itself, but because it imports considerable controversial matter into a Bill which, whatever it was as originally introduced, has been very much improved in Committee. The commercial community would prefer that the question should be postponed until full justice can be done to it.

(1.2.) MR. J. CHAMBERLAIN: I am very glad that this proposal is not likely to be pressed, and therefore it is unnecessary to discuss it at any length. At the same time, I do not like to let it pass out of the control of the House without expressing my opinion that the clause is bad in principle, and that the introduction of any such system into the bankruptcy proceedings of this country would be attended with all the abuses which the Bankruptcy Act of 1883 was passed to suppress. My hon. Friend behind me has said that the universal opinion of the commercial community is in favour of such a clause. I have no doubt that is right as far as the organisations which profess to represent the commercial body are concerned; but there is an immense body of men outside those organisations who do not share that opinion. The effect of the clause would be enormously to multiply deeds of arrangement and to limit the administration of insolvent estates under such official control and investigation, as I believe to be an absolute necessity if

commercial morality is to be in any way preserved. I believe the result would be the same as obtained before the Bankruptcy Act of 1883, that is to say that the creditor, with the help of such professional assistance as he can always obtain, would go to one or two large creditors, and would make a proposal which might or might not be a satisfactory or an honest proposal; but which, when accepted by the one or two principal creditors, would be forced upon the great mass of the creditors. The Return for which I moved shows that nine-tenths of the creditors in these cases are creditors for amounts of under £50. Then I would point out that the large creditors are not always large commercial people. They are very often either *boná fide* or sham creditors who are friends of the bankrupt, and to whom he goes, very often collusively, to secure an arrangement which can afterwards be forced on the rest of the creditors. Certainly if this proposal is pressed, or if it comes up on any other Bill, I shall give it the most strenuous opposition, believing it, as I do, to be fatal to the Bankruptcy Act of 1883.

*(1.5.) SIR A. ROLLIT: The Amendment obviously refers to deeds of arrangement, and if an alteration is to be made in the law in that respect, I think it should be an amendment of that Act to which the hon. Member has referred in such complimentary terms. I venture on this subject to differ somewhat from the right hon. Gentleman who has just spoken. For my own part, I think that deeds of arrangement, under proper restrictions for the protection of the rights of dissentient minorities of creditors, and of the public interests in case of commercial offences, are an essential supplement of any good bankruptcy system. The difficulty is, that this clause does not propose to provide those safeguards and that machinery which are absolutely essential for the purpose of preventing the abuses that occurred under the former Acts, such as that of 1861. I sincerely hope that when the subject is again brought before the House the right hon. Gentleman will be able to give us the benefit of his further consideration of the proposal.

Motion and clause, by leave, withdrawn.

*(1.7.) MR. KELLY: I do not know whether the hon. Member in charge of the Bill will accept the next clause I have put on the Paper: "Board of Trade not to refuse to confirm appointment of Trustee." We were told in the Committee by the right hon. Gentleman the President of the Board of Trade that there was no power to refuse to confirm the appointment of a Trustee, and he no doubt is under the belief that such a thing is not done. Quite a recent case has, however, been brought to my notice. I cannot understand on what principle the creditors who have appointed the Trustee of a deed of assignment as Trustee of the same estate in bankruptcy are not to be allowed to maintain that appointment. I do not doubt for a moment that the hon. Member in charge of the Bill intends next year to amend the Act to which he has referred, but I doubt very much whether he will be successful in the ballot next year. We cannot, at all events, base any reasonable calculation upon it. I am not, perhaps, capable of that beautiful belief in the intention of others which I think the right hon. Gentleman the Member for the London University has shown on this occasion. He alluded to a sort of promise on the part of the right hon. Gentleman the President of the Board of Trade to take under his protecting wing some Bill, the provisions of which have never been explained, but which may possibly be introduced next Session by the hon. Gentleman who is in charge of this Bill. I think that is rather a shadowy ground on which to refuse to make any amendment, however necessary, in the present system. I do not want to labour the point, and I may say that if the clause I now propose is not looked upon as important by those who represent more particularly the commercial classes of this country I have no option but to at once withdraw it. I would, however, appeal to the hon. Member in charge of the Bill to consider whether it is not a proposal it would be well to accept.

Clause (Board of Trade not to refuse to confirm appointment of Trustee,)—

(*Mr. J. Kelly,*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

*(1.10.) SIR R. WEBSTER: The hon. and learned Member has but one argument in favour of the clause, and that is that if any person is appointed Trustee of a deed of assignment he should subsequently be Trustee of the bankrupt estate.

*MR. J. KELLY: No; what I wished to urge was that the fact of a man having been appointed a Trustee of an abortive deed of assignment should not prevent his being subsequently appointed Trustee of the estate.

*(1.11.) SIR R. WEBSTER: My hon. and learned Friend has, I think, forgotten that it has been laid down by the Bankruptcy Court, and by Mr. Justice Cave, as a sound principle that where a person has become an accounting party to an estate by virtue of an abortive deed of assignment, he ought not to be afterwards appointed as the person who will pass the accounts. I submit that the Board of Trade ought not to be compelled to recognise the appointment of such a person as Trustee of the bankruptcy.

*(1.13.) SIR J. LUBBOCK: I do not see why the Board of Trade should be able to prevent the appointment of a Trustee under a deed of assignment as Trustee of the bankruptcy if the creditors wish it. My hon. and learned Friend (Mr. J. Kelly) attributed to me a good deal of trust in human nature; but I think we have had a distinct assurance from the Government that they will deal with the question of deeds of arrangement next year. I do not feel as strongly about the proposed new clause as the hon. Member who has brought it forward; but I do not see why the Board of Trade should interfere with the choice of the creditors, and, therefore, if the hon. and learned Member thinks it worth while to go to a Division, I shall certainly vote with him.

(1.15.) The House divided:—Ayes 15; Noes 95.—(Div. List, No. 180.)

(1.22.) MR. COZENS-HARDY (Norfolk, N.): I beg to move the new clause of which I have given notice. Its object is to remove a hardship which has arisen under the Act of 1883.

Clause (Disclaimer of leasehold property. Amendment of 46 and 47 Vic. c. 52, s. 55, subs. (6),—(*Mr. Cozens-Hardy,*)—brought up, and read the first and second time, and added.

Amendment made.

*(1.24.) MR. J. KELLY: I desire to move the next Amendment which stands in my name, namely, in Clause 1, line 11, to leave out "fourteen," and insert "twenty-eight." The matter is one of some importance. This clause, for the first time, makes an act of seizure an act of bankruptcy. Originally the clause provided that if an act of seizure had lasted for seven days that was an act of bankruptcy, but the hon. Member in charge of the Bill made some concession. The Sheriff, as most Members know, does not get much, except out of his poundage, and, therefore, if there is any question of his losing the poundage, the Sheriff will take very good care to precipitate the sale. Now, who will lose if the sale be conducted with improper haste? The creditors, and the creditors only. Take the case of a man having property of the value of £3,000 or £4,000, and consisting to a considerable extent of china and pictures. To make out and print a catalogue is, I am told by several auctioneers, a matter of almost a week's work, and therefore it is impossible to suppose that a proper assemblage of purchasers can be got together in 14 days. The result of having the sale within 14 days will be to give enormous advantages to those who are known by the appropriate term of "knock-outers." The goods will not fetch much more than a fourth of their value, and the creditors will be the losers. Why should they lose? What is the advantage of the clause as it now stands? I quite agree with what the hon. Member in charge of the Bill said in the Standing Committee, that the way in which the Sheriff has been allowed week after week and month after month to remain in possession is a scandal, and that something ought to be done to prevent it. But what difference will it make to the estate whether the Sheriff remains in possession 14 or 28 days? The possession

money amounts to only about 30s. a week, and the postponement of the sale for another fortnight may mean a gain to the creditors of hundreds of pounds. I have no personal interest in this matter, and I have not put the Amendment down at the instigation of any person connected directly or indirectly with the Sheriff. I admit that since my proposal was rejected by the Committee I have had several letters from those who are interested in the rights of the Sheriff begging me not to abandon the position I then took up, and pointing out that it was not so much to the interest of the Sheriff as of the creditors that the goods should not be mercilessly and ruthlessly sacrificed. I beg to move the Amendment.

Amendment proposed, in page 1, line 11, to leave out the word "fourteen," and insert the words "twenty-eight."—(*Mr. John Kelly.*)

Question proposed, "That the word 'fourteen' stand part of the Bill."

*(1.30.) SIR A. ROLLIT: The hon. Member has no need to make any disclaimer of interested motives in making any proposal on this or any clause. I willingly acknowledge his assistance towards the improvement of the Bill. The present proposal raises a question of very considerable administrative importance. The mischief with which the clause proposes to deal is this: There are many cases in which the Sheriff is in possession for weeks or months, and, in consequence, there is a dissipation of the estate, which is especially serious if the estate be small; the debtor continues to live upon the assets, and the creditors are kept at bay while the expenses, only £3 a week, mount up to a considerable sum. I think the House will see this is a mischief to be limited, and in the existing system there is a long delay which should be curtailed. The hon. Member asks me to make a concession for which I am not prepared. In the Committee I undertook to accept 21 days, and since then the hon. Member for West Wicklow and the hon. Member (Mr. Kelly) have convinced me that there are points that deserve consideration. For instance, in the case of a sale of articles of vertu it may be that the services of a particular auctioneer may be required or desirable, and these, perhaps, may not be obtained in a short time. To meet such cases, which are, however, very exceptional, I will so far accede to the wishes of the hon. Member as to substitute 21 days for 14 if he will accept that.

*(1.32.) MR. KELLY: I am afraid I have no choice left me but to accept that, and I will amend my Motion in that sense.

Question put, and negatived.

Question proposed, "That the words 'twenty-eight' be there inserted."

Amendment, by leave, withdrawn.

Words "twenty-one" inserted.

Other Amendments made.

*(1.38.) MR. WEBB (Waterford, W.): I beg to suggest an alteration in Clause 8, line 38. This sub-section appears to me to be one of the most useful in the Bill, and it will meet what has undoubtedly been a great scandal in relation to the debtor's expenditure. I think the House will appreciate the difference my Amendment indicates between "expenditure" and "extravagance." The word used here is "extravagance," which does not appear to me to quite meet the case, and I propose to substitute the word "expenditure." Extravagance we may assume to be always unjustifiable, though there may be unjustifiable expenditure which yet may not be called extravagance. I think the word expenditure is preferable; I simply put the suggestion before the House.

Amendment proposed, in page 3, line 38, to leave out the word "extravagance," and insert the word "expenditure."—(*Mr. Webb.*)

Question proposed, "That the word 'extravagance' stand part of the Bill."

*(1.39.) MR. T. H. BOLTON (St. Pancras, N.): I think there is no doubt "expenditure" is the better word to use. Extravagance is always culpable, and it is unnecessary to call it unjustifiable.

*(1.39.) SIR A. ROLLIT: That is very true, but extravagance is only condemnable except morally — when it comes within the purview of the Bankruptcy Act. Logically and legally the

hon. Member may be right, but let me point out the valid reason for retaining the word. A legal and definite meaning has been attached to the words "unjustifiable extravagance" since they have been used in the Bankruptcy Act of 1883 adapted from previous Acts; they have been the subject of decisions, and recognised constructions have been placed upon the words. To alter the word now might, I apprehend, lead to controversy and confusion, and to the increase of cost in re-constructing the law.

*(1.39.) MR. KELLY: I would advise the hon. Member to withdraw the Amendment. The words "unjustifiable expenditure" will lead to a good deal of litigation before the definition would be authoritatively settled.

*(1.40.) SIR R. WEBSTER: It would be a great mistake to change the word. The construction has to be settled, and the word "extravagance" gives the cue or indication of what is meant; "expenditure" is but a relative term; it may be large, yet not unjustifiable; extravagance is the point to which the sub-section is directed.

(1.40.) MR. J. CHAMBERLAIN: When the Act of 1883 was under consideration, I preferred the word expenditure; but, on the other hand, we have had the opportunity of seeing the enormous opening that would be given to litigation by the alteration of the word, and I still think it is undesirable to alter it.

(1.41.) MR. P. M'DONALD: Still, I think the word "expenditure" is also necessary; and I would suggest that both words should be used, "unjustifiable expenditure or extravagance."

Amendment, by leave, withdrawn.

Other Amendments made.

*(1.45.) MR. SYDNEY GEDGE (Stockport): The Bill was so thoroughly discussed in Committee under the able Chairmanship of the hon. Member for East Donegal that I am unwilling to bring before the House any Amendment to the work of the Committee; but my two Amendments together involve a principle which I will shortly state. As the clause stands, though the Court is of opinion that the arrangement or the terms of composition are reasonable and calculated to benefit the general body of creditors, the Court may disallow it, if the bankrupt has misconducted himself in certain ways, and must do so, unless 7s. 6d. in the £1 is to be paid. Now you are dealing with a case in which the Court is of opinion that the proposal for composition or scheme of arrangement is calculated to benefit the general body of creditors, and yet in the one case the Court *may* refuse to approve the proposal, and in the other cases *shall* refuse, unless there is a payment of 7s. 6d. in the £1. But here you are punishing the creditors for the bankrupt's fault. Let the bankrupt be punished if he breaks the law; but if he has only committed a fault, then, whether he ought to be punished or not, I hold that the creditors ought not to be punished. Although it is said that Bankruptcy Law is mixed up with moral considerations, I do not understand a moral consideration limited by 7s. 6d. in the £1. The effect of the clause will be to punish the creditors; but the bankrupt, if he has misbehaved himself, can purge himself of his offence, so to speak, by providing 7s. 6d. in the £1. It may be an advantage to the creditors to get less than 7s. 6d., but the assertion of the moral principle is made to depend upon that sum. When the bankrupt has broken the Criminal Law let him be punished as the Criminal Law provides; but if he has not broken the Criminal Law and has committed a fault, for which you think he ought to be punished, well and good, but do not make the punishment fall upon the creditors. On these grounds, and taking the two Amendments as hanging together, I move the first.

Amendment proposed, in page 5, line 20, to leave out from the word "creditors" to the words "the court," in line 21.—(*Mr. Sydney Gedge.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

*(1.48.) SIR R. WEBSTER: I admit the importance of this, but it is not possible to agree to the omission of the words. My hon. and learned Friend will observe that the President of the Board of Trade proposes, in conformity with the view he has previously expressed, to leave out the words "may in its discretion," in order to insert "shall," and it seems to be that that is a course that

must be adopted. I would point out that in a very limited number of cases is the Court required to refuse discharge; the cases are when the bankrupt has committed a misdemeanour under Section 31 of the Act of 1883; that is to say, where an adjudged bankrupt obtains credit to an amount of more than £20, not informing the creditor that he is a discharged bankrupt, or where he has committed an offence or misdemeanour under the Debtors' Act of 1869, which has been previously treated or described as fraud. Now, it seems to me a serious thing to suggest that when the Court is going to decline to give a bankrupt his discharge on the ground that he has been guilty of a crime, that in that case the Court may indirectly give a discharge by approving of a composition or arrangement. It will be observed that the sub-sections proceed by steps. In the first the Court must refuse, and then, under the second sub-section, an option is given. I confess, knowing how my hon. and learned Friend is the champion of law—and order also—I am surprised he should commit himself to a suggestion that the Court, which must refuse a discharge on account of gross and criminal misconduct, should still indirectly promote a discharge by approving an arrangement. It is not really a case in which the creditors are involved, because, speaking as a general rule, and not of exceptional cases, if the bankrupt is guilty of such conduct, surely it is better to wind up his affairs in bankruptcy.

Question put, and agreed to.

Amendment proposed, in page 5, lines 21 and 22, to leave out the words "may in its discretion," and insert the word "shall."—(*Sir Michael Hicks Beach.*)

Question proposed, "That the words 'may in its discretion,' stand part of the Bill."

*(1.53.) MR. BARING (London): I desire to say that the decision of the Committee upon this point was arrived at by a considerable majority against the view of the Government representatives. That the Government were right in refusing the Amendment of my hon. Friend near me (Mr. Gedge) I have no doubt, but for the very same reason that he wished to leave out those words, I wish to retain the option given to the Court. I do not wish to punish the creditors for the fault of the debtor. I hope the House will maintain the decision arrived at in Committee upstairs by a considerable majority, even though the Government still stick to their view.

*(1.54.) THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): Perhaps I may explain the circumstances that occurred in Committee. The issue was raised twice, first by the hon. Member for Camberwell, who moved to leave out the whole of the sub-section, leaving the action of the clause purely within the discretion of the Court, and this was negatived by a considerable majority; and then, without further discussion, the proposal of my hon. Friend behind me was accepted, substituting "may in its discretion," for "shall," practically giving what the Committee had already rejected. The reason for the present Amendment is obvious. My hon. Friend admits it is right with regard to the first two paragraphs, namely, if the conditions, in the opinion of the Court, are unreasonable or not calculated to benefit the general body of creditors, that the Court should be bound to refuse the proposal, because in that case it would be with the Court to decide whether the terms of the proposal are reasonable or not, or whether they are or are not for the benefit of the general body of creditors. Then my hon. Friend, taking up the point the hon. Member for Stockport unsuccessfully urged, desires to give the Court discretion to allow composition in cases in which, by Sub-section 8 of the previous clause, it would be bound to refuse the order of discharge of a bankrupt on the ground of dishonest conduct. I hope the House will not accept such a proposition, but will restore the clause to the position in which it stands in the existing law in Sub-section 6 of Section 18 of the Act of 1883. I cannot but think the Committee settled the clause as it now stands under a misapprehension.

*(1.57.) SIR J. LUBBOCK: With all deference to my right hon. Friend, I hardly think the Committee were under any misapprehension. The matter was

decided by a large majority after a discussion on the Motion of the hon. Member for Uxbridge, who, if he were here, would no doubt support my hon. Friend opposite (Mr. Baring). I admit there may be cases in which, in the interest of public morality, it might be necessary to impose pecuniary sacrifices on creditors; but it does not follow that this Amendment is necessary. If the House is not prepared to support the judgment of the Committee upstairs, still may they not trust the Court to deal with the matter wisely when it comes before them. I feel the greatest confidence that in cases suggested by the right hon. Gentleman the Court would act aright, and the discretion may be safely left to it. I would appeal to the right hon. Gentleman to allow the clause to stand as it is.

*(1.58.) Mr. SYDNEY GEDGE: I venture to express a hope in the same direction.

(1.58.) Mr. J. CHAMBERLAIN: I would strongly support the Amendment, and the opposite view seems to me to be most extraordinary. If a debtor has committed an offence of such magnitude as to require the Court to inflict on the bankrupt certain punishment, namely, the refusal of a discharge, Parliament has decided that the Court shall have no discretion at all so far as the bankrupt is concerned. The act of the bankrupt is of such a character that it is necessary to impose on the Court the duty of inflicting a severe punishment; but then the hon. Member opposite and others say, "No; although this House has thought it necessary to require without alternative that this punishment shall be inflicted on the bankrupt, the bankrupt shall be allowed to escape scot-free, he shall be relieved from punishment if the creditors can prove to the satisfaction of the Court that, in their opinion, their interests will suffer by the refusal of a composition;"—["No, no,"]—do not be in a hurry; "if they can persuade the Court to adopt their view that the principles of morality and justice should be sacrificed to the pecuniary interests of the creditors." I think it is a monstrous proposition. If a bankrupt deserves punishment he ought to have it; and if in the course of that punishment some slight disadvantage is inflicted on the creditors, they ought to take the responsibility. After all, what is the damage done to creditors? Whereas the estate would be wound up under a composition in one case, in the other it would have to be wound up in bankruptcy. There are those who take the view that bankruptcy always leads to loss to creditors, and that it involves pecuniary sacrifice. I take a totally different view, and I feel certain the future will show that I am justified in that view. We have as yet had no opportunity of comparing the cost of private arrangements with that of bankruptcy. But in this Bill there is a proviso that Return shall be made to the Board of Trade of the costs of winding up under a deed of composition, and I think that when we get that we shall find that compositions and deeds of arrangement are, on the whole, not so economical as bankruptcy. After all, the sacrifice asked of creditors in order that public justice may be done is very small, and may probably prove no sacrifice at all.

*(2.2.) Mr. SYDNEY GEDGE: The right hon. Gentleman may be right in thinking that creditors will not suffer, but creditors hold a very different opinion. On the one hand, the right hon. Gentleman admits that he cannot prove his proposition, while on the other the creditors base their opinion on a good many years' experience. I should like to state a concrete case. A bankrupt had within two or three months preceding the date of the receiving order incurred an unjustifiable expense by bringing a frivolous and vexatious defence to an action in the County Court. Possibly, at the most, the expense so occurred did not exceed £5, yet the Court in such a case is to have no discretion.

Sir R. WEBSTER: That is exactly a case in which, under this Bill, there will be discretion in the Court.

*Mr. SYDNEY GEDGE: Well, if the hon. and learned Gentleman says that, I need not pursue the point further. There are cases in which the degree of blame attaching to the bankrupt varies very much, and I think some confidence should be reposed in the Courts. I cannot understand the right hon. Gentleman on this Bench asking us to show

no confidence in Courts of Justice by giving them no discretion in these matters. I hope the Amendment will not be persisted in.

*(2.5.) SIR A. ROLLIT: I am sorry to criticise the work of a Committee which has done so much to improve this Bill. But I think this clause bears internal evidence that something has gone wrong with it. It is not at all logical as it now stands, though it was so in the Bill as drafted. For instance, the clause now says that in the most serious cases the Court may exercise a discretion as to granting or refusing a discharge; then, in less serious cases that it shall refuse, and that it shall allow the offences to be compounded; and, lastly, it repeats that in any other case it shall have a discretion. All this is illogical and inconsistent, and ought to be rectified by restoring the words originally in the Bill.

*(2.7.) MR. WINTERBOTHAM (Gloucester, Cirencester): It is quite true the sub section is illogical as compared with the following sub-section, and one or the other must be amended. The question is whether we are to accept the more elastic rule laid down at first or to make a hard-and-fast line for the Court, and oblige it, under all circumstances, and without exercising any discretion, to refuse to approve of arrangements come to by creditors under these circumstances. I hope the House will stick to the original words, because there may often be special and exceptional matters which should be left entirely for the Court to decide; otherwise, the Court may feel bound to refuse to sanction an arrangement which it considers would be for the benefit of the creditors. It is all very well and very right to punish fraudulent bankrupts, but it is very hard that the creditors should share in the punishment. I am one of those who have confidence in the Court, and wish it to have a reasonable discretion left to it.

*(2.9.) SIR R. WEBSTER: I should like to point out, in furtherance of the observation made by the right hon. Gentleman the Member for West Birmingham, that it is a mistake to suppose that this Amendment takes away any discretion from the Court, as in the Act of 1883 the words are that the Court "shall refuse to approve of the composition if it is of opinion that the terms of the composition" are not reasonable or best for the general body of the creditors. The proposed Amendment, therefore, does not extend the restrictions on the Court. During the last seven years we have had no experience to show that the present condition of affairs with regard to the discretion of the Court has worked hardship on creditors. I do not state that without authority. I have endeavoured to find out as far as I could what the real facts are, and I do not think a case has occurred in which creditors have substantially suffered through an estate being administered in bankruptcy instead of under a deed of arrangement. I assure the House that this Amendment does not introduce any new principle.

(2.12.) MR. A. O'CONNOR (Donegal, W.): I shall support the Amendment. When the 1883 Act was under consideration in this House, there were prolonged and almost bitter disputes on this point. This is a retrospective clause. It says that after the passing of this Act no composition or deed of arrangement under Sections 125 and 126 of the Bankruptcy Act of 1869 shall be entered into or allowed without the sanction of the Court having jurisdiction in the matter, and that such sanction shall not be granted unless the composition or liquidation appears to be reasonable or calculated to benefit the general body of creditors. Under the Act of 1869 the Court had very wide discretion, and the experience of the exercise of it was so regrettable that in the Act of 1883 it was found necessary to insert a special section of a most unusual character and in a most unusual part of the Bill—in the interpretation clause—so as to prevent a continuance of the mischief. I think that the arguments which then prevailed are equally pertinent in the present case.

(2.15.) The House divided:—Ayes 32; Noes 122.—(Div. List, No. 181.)

Word "shall" inserted.

Other Amendments made.

*(2.40.) SIR R. WEBSTER: I now move, in Clause 23, to omit Sub-section 3 and insert the following:—

"A creditor may give a special proxy to any person to vote at any specified meeting or ad-

journment thereof on all or any of the following matters, namely:—(*a*) for or against any specific proposal for a composition or scheme of arrangement; (*b*) for or against the appointment, remuneration, or continuance in office of any specified person as trustee or member of the Committee of Inspection; (*c*) on all other questions arising at any specified meeting or adjournment thereof."

Perhaps I may be permitted to make a brief explanation. The House is aware that the right hon. Gentleman the Member for the University of London has taken great pains to put this question of proxies upon a proper footing, and I am sure my right hon. Friend is very much indebted to him for the labours he has bestowed upon the matter. At the same time he will recognise also that the President of the Board of Trade has endeavoured to meet him as far as possible, consistent with the prevention of certain evils, which we must endeavour to stop. I refer to the system of touting for proxies so as to obtain the control of bankruptcies; but the right hon. Gentleman will see that we have endeavoured to meet that evil by giving the delegate power to vote on various questions, while ensuring the good administration of the bankrupt's estate.

Amendment proposed, in page 5, line 27, to leave out sub-section (3) of Clause 11.—(*Mr. Attorney General.*)

Question proposed, "That sub-section (3) of Clause 11 stand part of the Bill."

*(2.45.) SIR J. LUBBOCK: I desire to acknowledge the courtesy of the Attorney General and the President of the Board of Trade. I should no doubt have preferred the Amendment which stands in my name on the Paper. The objections against special proxies have, I think, been removed by the subsequent legislation; at the same time, I recognise that the Government have done much to meet the views of the London Chamber of Commerce, and, under these circumstances, I am ready to accept the words suggested by the Attorney General.

(2.48.) MR. J. CHAMBERLAIN: I confess the Amendment now proposed by the Government and accepted by my right hon. Friend behind me is not open to the objection that was taken to his original proposal, and I am prepared to accept it as a reasonable compromise. At the same time, I differ from my right hon. Friend. I cannot see why the difficulties of the case which he puts cannot be met by the provision of a general proxy which can be given to the clerk or person in the employment of the person giving the proxy. No doubt the object of many of those who support the alteration of the law is to avoid the old system under which there was a touting for proxies. A special proxy may of course be given to any person, and consequently to a professional firm. In the vast majority of cases, it will be admitted that to allow a professional firm to vote for the appointment of a Trustee or highly-remunerated official would undoubtedly lead to all those evils that the Act of 1883, in dealing with this question of proxies, was supposed to guard against. I must say that I prefer the law as it stands, and no real case has been made out for a change in the system of enabling a creditor to allow his proxy to act for him, as if he himself were present.

*(2.54.) MR. GROTRIAN (Hull): I do not intend to offer any objection to the compromise suggested, but I must say I view with some misgiving and alarm the enlargement of this general proxy system. I entirely concur in the view which the right hon. Gentleman (Mr. Chamberlain) has expressed on one or two occasions. Everyone acquainted with proceedings under the Bankruptcy Act of 1869 is aware of the abuses which crept in under the proxy system. I am of opinion that these abuses have been entirely removed by subsequent legislation, namely, the Act of 1883. I therefore view with some misgiving the enlargement proposed. But, under the circumstances, as the proposition is certainly a considerable modification of the original proposition of the right hon. Gentleman, I am not disposed to offer it any serious opposition.

Question put, and negatived.

*(2.58.) SIR R. WEBSTER: I now move, in Clause 23, to omit Sub-section 3, and insert the following:—

"A creditor may give a special proxy to any person to vote at any specified meeting or adjournment thereof, on all or any of the following matters, namely: (*a.*) for or against any specific proposal for a composition or scheme of arrangement; (*b.*) for or against the appointment, remuneration, or continuance in office of any specified person as trustee or member of the Committee of inspection; (*c.*) on all other

questions arising at any specified meeting or adjournment thereof."

Question, "That those words be there inserted," put, and agreed to.

Amendment proposed, in page 5, line 31, to leave out sub-section (4) of Clause 11.—(*Mr. Tomlinson.*)

Question proposed, "That sub-section (4) of Clause 11 stand part of the Bill."

Amendment, by leave, withdrawn.

Other Amendments made.

Bill read the third time, and passed.

PUBLIC LIBRARIES ACT AMENDMENT BILL.—(No. 167.)

COMMITTEE.

Bill considered in Committee.

(In the Committee.)

Clause 2.

(3.5.) BARON DIMSDALE (Herts, Hitchin): The object of this clause is to provide that where the district for which the adoption of the Act is proposed contains a population of 5,000 or more the opinion of the voters shall be taken by voting papers alone, and that where the population is under 5,000 they may proceed either by voting papers or by public meeting. I have an Amendment to move, the effect of which, with consequential alterations, will be to abolish the procedure by public meeting in all cases. Up to the year 1877 the procedure was entirely by public meeting; but subsequent to that a change was made, and the Local Authorities had the alternative given them of proceeding either by voting paper or public meeting. The Preamble of the Act bringing about this change declared that it had been found in many cases that public meeting was an unsatisfactory mode of indicating the general opinion of the ratepayers, and that it was desirable to adopt a more efficacious method of ascertaining that public opinion. I cannot understand why the right hon. Baronet in charge of the Bill should make the distinction he does between populations of under and above 5,000. It is in the small places that the greatest difficulty arises. In a large place if there is an objection to the establishment of a library the objection will be well-known, and effect will be given to the objection; but in small places the matter will not be so well discussed; and if there should be a public meeting it may only be attended by a few persons, and the ratepayers at large may find themselves involved at the will of those few persons in a very heavy burden. Violent agitations frequently take place on subjects of this kind, and we cannot be too careful in our legislation. If the right hon. Baronet will strike out the 5,000 limit it will give great satisfaction. Personally, I am very much in favour of the adoption of the Library Act in all cases where it can be adopted, but I am averse to its being put into operation by the machinery proposed. My Amendments will affect Clauses 2 and 5.

Amendment moved, in page 1, line 26, to leave out from the word "In" to the word "cases."—(*Baron Dimsdale.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

*(3.11.) SIR J. LUBBOCK: Inasmuch as a poll is demanded in most cases where proceedings are taken by public meeting, I think it would be a saving of expense to proceed by voting paper in the first instance. I am as anxious as anyone in the House can be that the Public Libraries Act should be adopted generally throughout the country; but, at the same time, I have no desire that it should be adopted in any instance against the wish of the people concerned. I feel that if there is not a public desire for a Public Library, the establishment of such an institution will not be useful. The hon. Member thinks that, under the clause as it stands, Public Libraries would be decided on without sufficient consideration. I do not agree with him. I admit, however, that the holding of a public meeting may involve unnecessary expense and trouble to the ratepayers, and I am in the hands of the Committee in regard to the Amendment.

Question put, and agreed to.

Other Amendments made.

Clause 3.

*(3.17.) MR. RANKIN (Herefordshire, Leominster): The object of the Amendment I wish to move is to meet such cases as that of the borough of

Leominster, which gives its name to the division I have the honour to represent. They have recently adopted the Libraries Act in that borough, but a difficulty has arisen owing to the fact that the borough consists of two portions—the one urban and the other rural. Naturally, the inhabitants of the rural portion of the borough feel somewhat grieved that they have to pay the same rate as the urban portion, though, of course, they will derive much less advantage from the library. Many of the rural portion of the inhabitants live a considerable distance from the town. It seems to me that the adoption of some such Amendment as that I propose would facilitate the adoption of the Library Act, as it would then be possible for places of unequal population and rateable value to join together for the purposes of the Act. At present when the rural parts of a district have to be rated to the same extent as the urban parts, they very often will not agree to putting the Act in operation. A number of county parishes surrounding a large village should not be called upon to pay at the same rate as the village, seeing that they would derive much less advantage from the library. I trust the Committee will see its way to the adoption of the Amendment, the effect of which will be to allow the rate to be levied in different proportions, on defined parts of a library district. So far as I can see, there is no objection to my proposal. Difficulties in the way of the working of the Act have arisen in the past, and may arise in the future, unless some such alteration as this is made. The right. hon. Baronet in charge of the Bill has no objection, I believe, to the Amendment.

Amendment proposed, in page 2, line 16, after the word "district," to insert the words "or in any defined portion of the district."—(*Mr. Rankin.*)

Question proposed, "That those words be there inserted."

*(3.20.) MR. KIMBER (Wandsworth): I agree with nearly everything the hon. Member says, but I do not think his Amendment is necessary, because in Clause 8 it is laid down that the expression "library district" means any borough, &c., on any "parish or part of a parish." I do not know whether these words are sufficient to effect the hon. Member's purpose.

*(3.21.) MR. RANKIN: I think the hon. and learned Member has mistaken the object of that clause. It is that a library district may be composed of parts of parishes, but my proposal is that the various parts of a district may be differently rated.

Question put, and agreed to.

*(3.21.) BARON DIMSDALE: I have two Amendments on the Paper to this clause, the object of which is to make it clear that there shall be no additional burden thrown on the rates. In the Libraries Act of 1855 it was specified that the rate should not exceed 1d. in the £1, and I think the wording of this clause would imply that limitation can be removed altogether. This question was fought out very hard, and owing to the attitude of the then President of the Local Government Board the controversy was closed. I think it would be a great mistake to re-open it now.

(3.22.) Amendment moved, in page 2, line 19, to leave out from the word "or" to the word "removed" in line 20.—(*Baron Dimsdale.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

*(3.22.) SIR J. LUBBOCK: I am assured by the draftsman that the Amendment is unnecessary; but if, on further consideration, it should appear that there is any ambiguity, I will undertake to have an Amendment to make the matter clear inserted in another place. The object of the clause is to enable the ½d. rate to be exceeded where it is found that the cost has been under-estimated. I do not think there is anything in the clause which would enable the 1d. maximum to be exceeded.

(3.23.) SIR R. PAGET (Somerset, Wells): I think the Amendment should be accepted, because it would be quite easy for the right hon. Baronet, if he desired it at a future stage, to re-model the clause. The clause as drawn seems somewhat ambiguous; and as the Amendment would simplify it, I trust it will be accepted. I think it is preferable that the words should be removed.

*(3.25.) SIR J. LUBBOCK: I do not think there is any ambiguity. It is dangerous for a layman to speak too confidently as to the wording of an Act of Parliament, but the draftsman assured me there would be no ambiguity about the words. I hope the hon. Member will allow the words to stand; and if on consideration it is thought desirable to remove them, they can be struck out at a subsequent stage.

*(3.26.) MR. RANKIN: It seems to me that the last paragraph of the clause simply provides against the danger hon. Members have in view. It says—

"Provided always that nothing in this Act shall be construed to authorise the levying of any rate exceeding 1d. in the £1."

SIR R. PAGET: If there is a proviso in one part of the clause and another proviso in another part there is obvious ambiguity. Had we not better get rid of the ambiguity?

(3.27.) SIR W. HARCOURT (Derby): To listen to hon. Gentlemen one would think there is some terrible danger about to be incurred. What is it? That a given community may wish to spend more than 1d. in the £1 on a Free Library. I do not regard that as a very overwhelming danger. I can quite understand poor communities wishing to be limited in their expenditure, but I do not see why rich communities should not be allowed to spend 2d. in the £1 if they so desire. I think it is a great evil that the rate under the Public Libraries Act should have been confined to 1d. It is not in the least necessary that Parliament should legislate against the terrible danger that a community should spend what it thinks fit on so excellent an object as a Free Library.

(3.28.) BARON DIMSDALE: The right hon. Gentleman would apparently be very careless whether there is a heavy rate in a particular district or not.

*(3.29.) MR. KIMBER: I think the offer of the right hon. Baronet the Member for the University of London very fair. I agree with him and the draftsman that there is no real ambiguity when the clause is read carefully.

Amendment, by leave, withdrawn.

Clause 3, as amended, agreed to.

Clause 4 to 7 agreed to.

Clause 8 agreed to, with an Amendment.

Clauses 9 to 11 agreed to.

THE CHAIRMAN: The right hon. Baronet's new clauses ("Power to grant charity lands for library purposes," and "Extension of 18 Vic. cap. 70, 3, 18, to the Metropolis") appear to me to be outside the scope of the Bill.

*SIR J. LUBBOCK: The clauses are intended to meet cases in which Ecclesiastical Bodies, and other charitable institutions are desirous of giving land for the purpose of Free Libraries, and I think it would be eminently desirable they should do so. I believe there is no opposition to the clauses, but of course I must, Sir, bow to your ruling.

THE CHAIRMAN: The right hon. Baronet must take another method of getting the clauses inserted.

Amendments made.

Motion made, and Question proposed, "That the Chairman do report the Bill with Amendments to the House."

*(3.40.) MR. KELLY: I do not know whether I should be in order if I allude at this point to the new clauses appearing on the Paper in the name of the right hon. Baronet, and which you, Sir, have ruled to be outside the scope of the Bill. The Dulwich Governors have expressed their willingness—their desire, in fact—to give a site for a Free Library there, and I believe the Charity Commissioners have expressed their desire to carry out the wishes of the Government. The Governors have no power at present to give the site, and, therefore, I appeal to the Government to afford the right hon. Baronet some facilities for amending the Bill in the way he suggests.

*(3.42.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr RITCHIE, Tower Hamlets, St. George's): I should be very glad, indeed, to see these clauses inserted, and I am sure no Member of the House wishes to put any impediment in the way of the adoption of the clauses. If my right hon. Friend brings the clauses within the scope of the Bill he might, on Report, move that the Bill be re-committed with a view to the insertion of the clauses.

*SIR J. LUBBOCK: May I hope Her Majesty's Government will help me in

getting the Third Reading. I should be sorry to run the risk of losing the Bill by trying to get these clauses inserted.

*MR. RITCHIE: If the right hon. Baronet means that the Government should give up any portion of their time, I am afraid I cannot promise him that we will give him facilities for the Third Reading. But I cannot conceive that any difficulty will arise in obtaining the Third Reading.

Question put, and agreed to.

Bill reported, as amended, to be considered to-morrow.

SLANDER LAW AMENDMENT BILL.

(No. 278.)

Bill considered in Committee.

(In the Committee.)

Clause 1.

*(3.45.) MR. GULLY (Carlisle): Perhaps, as this Bill was read a second time after 12 o'clock at night, and without any discussion, it may be convenient, as this is the only clause which contains any operating part, that I should upon the clause say a few words in explanation of the object of the measure. As the law stands at present, any imputation, however gross and malicious, upon the chastity or virtue of a woman may be made with impunity, provided that it is made by word of mouth, and no direct pecuniary damage results to the woman. That has resulted in great hardship and injustice, and the state of the law in this respect was strongly denounced in the House of Lords 30 years ago both by Lord Campbell and Lord Brougham as unsatisfactory and barbarous. The object of the Bill is to put an end to this state of things. The only objection that I know of is that trivial actions may be brought if the Bill passes; but the existing law provides against that, because in cases in which it is shown that the words are used merely as vulgar abuse, the Judges always direct Juries that there is no ground of action. These are the grounds on which I have thought it necessary to bring in the Bill. The hon. and learned Member for Durham (Mr. Milvain) who has the first Amendment down, is not present, but I accept the Amendment, which is an improvement in the drafting of the Bill, and will move it in his stead.

Amendment proposed, in Clause 1, page 1, lines 6 and 7, leave out, "to an unmarried woman."—(*Mr. Gully.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

*(3.50.) SIR R. WEBSTER: I am afraid that if this Bill is passed, where words are used which ought not to be used, and which, at the same time, ought not to be regarded as conveying a serious imputation, they will in many cases be made the ground of an action. It is well known that when temper gets the upper hand of a person, he or she very often uses words that ought not to be used, but which cannot be regarded as seriously imputing unchastity. Although there may be cases in which the Judge may direct the Jury that they ought to consider in what sense the words complained of were used, still there would be a number of cases in which hardships would be inflicted. Actions might be brought for words spoken rashly and hastily, and I cannot but think it is rather a dangerous thing to alter the law.

(3.52.) SIR C. RUSSELL (Hackney): The speech of the Attorney General really goes against the Second Reading, which has already been accepted by the House. [The ATTORNEY GENERAL: Without discussion.] I am aware of that, but the objection taken by the hon. and learned Gentleman ought to have been taken on the Second Reading. The point is this. At present if an imputation has been made upon a man or woman which involves pecuniary loss or damage, he or she has a right of action. The Bill proposes to give a right of action in cases where the most serious imputation which can be made, and which does not result in pecuniary loss, is made. There may possibly be some cases in which actions are brought for the use of some objectionable phrase, but I submit that the safeguard lies in the protection which the good sense of Judges and Juries gives.

Question put, and agreed to.

Amendment proposed, Clause 1, page 1, line 7, leave out "married."—(*Mr. Gully.*)

Question, "That the word proposed to be left out stand part of the Clause," put, and negatived.

(3.55.) CAPTAIN VERNEY (Bucks, N.): I have put down this Amendment because I think it is a very dangerous thing that there should be on the Statute Book anything which recognises that that should be lawful which is said of one sex, while it is not if said of the other sex. I propose to leave out the word "woman" in line 7, and insert "person." Whatever we may think and know about the way in which offences of unchastity in the case of one sex are regarded, it is a very serious thing that it should be on the Statute Book that the law of England recognises that it is not an offence to charge one sex with unchastity.

Amendment proposed, Clause 1, page 1, line 7, leave out "woman" and insert "person."—(*Captain Verney.*)

Question proposed, "That the word 'woman' stand part of the Clause."

*(3.56.) MR. GULLY: I quite agree that logically there is something to be said for the view the hon. and gallant Member has laid before the Committee, but practically no mischief would result from the law being what I propose it should be. The fact is, that men do not suffer under the imputation to the same extent that women do. There is not the same practical hardship, or the same danger of an imputation against men being made maliciously. And, moreover, when imputations are made against men they are almost invariably made with a view of damaging the accused in their profession. In such case there is a right of action. The justification of the Bill is that women do not suffer the pecuniary loss to give them cause of action, but they suffer in their characters. While I fully appreciate the spirit in which my hon. and gallant Friend proposes the Amendment I trust he will not think it necessary to insist upon it, because his insistence might endanger the passing of the clause.

*(3.58.) MR. KELLY: I cannot admit that unchastity is the same thing in the case of a man as that of a woman. To impute unchastity in the case of a woman really means ruin to her; but in the case of a man the imputation is generally a trifling matter, relatively speaking, and indeed may be sometimes regarded as a compliment. At any rate, an imputation of unchastity does not affect a man's future chance in life, but it is a serious thing to a woman. I hope the hon. and gallant Gentleman will not press his Amendment.

(3.59.) CAPTAIN VERNEY: The remarks of the hon. and learned Member amount to the very strongest argument in favour of the Amendment. If it is to be said gravely in the House of Commons that an imputation of unchastity is regarded as a compliment, I think the Amendment is absolutely necessary.

*MR. W. MCLAREN (Crewe): The speech of the hon. and learned Member for Camberwell leads me to join the hon. and gallant Gentleman in the support of this Amendment, as I entirely approve of the principle which he has laid down. I do not specially advise my hon. and gallant Friend to divide the Committee, but if he goes to a Division I shall certainly follow him into the Lobby.

Question put, and negatived.

*(4.0.) MR. KELLY: I have every sympathy with the main object of the Bill. It is, undoubtedly, desirable that a woman should have every protection against a man who endeavours to defame her character. But it must be known to the House that there are no graver scandals in our Courts of Justice than the enormous number of trivial actions brought for libel and slander, especially slander. Although the person who defames the character of an honest and virtuous woman should be made to smart for his conduct in a sensible degree, I think we ought not to provide undue facilities for bringing actions for indiscreet or trivial expressions. Let me point out that unless we introduce some such proviso as this I now have to propose, there will be no sort of power in a defendant, however innocent of the charge he may be, to defend himself against it, except at very serious expense. Even should he prove his innocence of the charge, and the plaintiff is a married woman, he will, if the wife has no separate property, have no sort of remedy against the husband, and though successful in

the action will have to pay his own heavy costs. I cannot see there is any injustice in making this limitation; it does not take away, it cannot take away, any right of the woman to vindicate her character in open Court. But, on the other hand, the Bill as it stands gives an advantage to a woman who, at the instigation of an unscrupulous attorney, may commence an action for slander upon trivial grounds, in the hope that a man will be unwilling to face the ordeal of the Court with the prospect of having, in any case, to pay costs, even though he may get a verdict. Such a proviso will prevent, in some degree, the Act being taken advantage of by those who make a living out of bringing frivolous and vexatious actions.

Amendment proposed,

In Clause 1, page 1, line 8, after the word "damage," to add the words, "Provided that in any action brought by any married woman under this Act, the defendant shall be entitled, upon appearing to the writ, to an order for a stay of proceedings until the husband of such married woman shall have been found as a co-plaintiff. Provided also, that in any action brought under the provisions of this Act, the plaintiff shall not be entitled to recover any larger sum, by way of damages other than special damages, than £200."—(*Mr. Kelly.*)

Question proposed, "That those words be there inserted."

(4.5.) SIR C. RUSSELL: The hon. and learned Member has shown no reason why in this Bill, of which he professes himself to be in favour, we should make an exception to the general law. I cannot but think he has forgotten the "Married Women's Property Act," which provides that a married woman can sue and can be sued without joining her husband in an action of contract or tort. I do not find any reason why this particular form of action and means of redress should be taken out of the general rule. It seems to me there is strong reason in the other direction. Cases may possibly arise in which a woman is anxious to vindicate her character, but for reasons not creditable to himself, her husband is not willing to join in an action for the purpose; he may be a party even to the very offence. So far, the Amendment would destroy the usefulness of the Bill.

Mr. Kelly

*(4.6.) MR. KELLY: An Order will be made for good cause shown. I do claim that this is a different action to ordinary action, and particularly liable to abuse. If a person is injured in an ordinary action, the fact is provable, but I think the hon. and learned Gentleman, with his experience, must acknowledge that such actions as these are very liable to abuse. I think it cannot be an injustice to a wife to say her husband shall be joined with her as co-plaintiff. Such extraordinary cases as the hon. and learned Gentleman mentioned, of a husband conniving with a third party to destroy his wife's character, would be amply provided for by the addition of such words as "unless the Court for good cause shown should otherwise order," which I should be quite ready to add to the proposed proviso.

Question put, and negatived.

Question proposed, "That the Clause, as amended, stand part of the Bill."

*(4.8.) MR. KIMBER: I hope the Attorney General will not consider it his duty to oppose the Bill further. As illustrating the necessity for such a measure, it is only necessary to point a case. A woman, keeping a shop, may be maligned as regards her business, and is entitled to recover damages without proving special damage, but if her personal character is assailed in the worst terms that can be applied to a woman, she cannot recover a verdict unless she can show she has sustained special pecuniary damage. Or contrast the position of two women living side by side, one in a private house, the other in a shop. The latter can recover for damages sustained in her business by reason of opprobrious epithets being applied to her, but she may have no such redress, because she cannot perhaps prove that pecuniary loss has resulted. It is, I think, a position that cannot be defended.

(4.10.) MR. A. ELLIOT (Roxburgh): I would also ask the Attorney General not to offer opposition. Although I admit a certain amount of weight attaches to the objection that words thoughtlessly used may be made the subject of action for the benefit of solicitors of a certain class, that should not prevent the passing of a useful Bill. Words might very well be introduced, at

a subsequent stage, so that it should be made clear that the intention of the speaker in using the language complained of was to impute unchastity or adultery. I shall certainly vote for the clause as it stands.

(4.11.) SIR R. WEBSTER: I was speaking my own private opinion, but it is not my intention to put the Committee to the trouble of a Division.

Question put, and agreed to.

*(4.11.) MR. GULLY: In moving a new clause that the Bill shall not extend to Scotland, I do not mean that Scotland shall not have the advantages of the Bill, but I am informed by those who are skilled in Scotch law that the application of the Bill to Scotland is unnecessary, inasmuch as the law in Scotland in regard to slander is already substantially the same as is here contemplated.

New Clause ("This Act shall not apply to Scotland,")—(*Mr. Gully,*)—read a first and second time, and added to the Bill.

Bill reported, as amended, to be considered to-morrow.

PUBLIC HEALTH ACTS AMENDMENT (RE-COMMITTED) BILL.—(No. 290.)

COMMITTEE.

Bill considered in Committee.

(In the Committee.)

*(4.15.) CAPTAIN VERNEY: In principle, I think the Amendment I propose has the approval of the promoters of the Bill. I believe the promoters would be glad to see the whole of the Bill extended to the whole country, but that is not proposed, and, probably, would not be found practicable. Then the question arises, how much of the general provisions should be applied when Sanitary Authorities desire there should be the application. As the Bill stands, it is proposed that part 1 shall be extended to England and Wales in any case, whereas the provisions in parts 2, 3, 4, and 5 only extend to those districts in which they are adopted. The object of my Amendment is to make the two clauses relating to public meetings of universal application throughout the country. I think the Committee will agree with me that it is very desirable that when a public meeting is called within the area of an urban or Rural Sanitary Authority, the Sanitary Authority should take steps for the protection of the public. I think every hon. Member will have had within his experience public meetings held under circumstances in which life has been in the greatest danger. I know it has happened to me on several occasions. I have attended meetings in a room at the top of a building, gaslights glaring, and crowded with people, sometimes all of one way of thinking, sometimes of opposing opinions, and access to the place of meeting being up a small, spiral staircase, and the lives of all these have been in considerable danger. Now, Clauses 37 and 38 deal only with this subject, and I think they ought not to be contentious, and that every Member will agree they ought to have universal application. Clause 37, which deals with the means of ingress and egress, should be of application everywhere. Clause 38 refers to the safety of platforms erected, or used on public occasions. I think we must admit that the platforms, on which we are asked to take our stand, are not always very safe, and I think there is every reason why, by a few words in an Act, we should obtain security in this respect.

Amendment proposed, in Clause 2, page 1, line 15, after the word "London" to insert the words "Sections thirty-seven and thirty-eight, Part three, shall also extend to England and Wales."—(*Captain Verney.*)

Question proposed, "That those words be there inserted."

*(4.19.) MR. F. S. POWELL (Wigan): The plan of the Bill is a simple one. It is necessary to make this part of the Bill imperative to give effect to the Bill, but the whole of the rest is permissive, and I feel sure that the best way to insure the whole being carried into operation, in fact and not in form only, is to leave option to the authorities.

(4.20.) MR. H. H. FOWLER (Wolverhampton, E.): I hope the hon. and gallant Member will not press this. I do not know if he is aware of the circumstances under which this Bill comes before us. At the commencement of the Session

two Bills were introduced, one by myself at the request of certain Municipal Authorities, and one by my hon. Friend, who has had constant experience on the "Police and Sanitary Committee" of the complaints of Local Authorities of the expense of coming to Parliament to get certain powers not conferred upon them by the general law. I sat on that Committee some years ago, and we recommended the desirability of passing a general Act dealing with all these matters. Although I agree with my hon. and gallant Friend that it would be a good thing if we could find time to provide for general legislation in this direction, in legislation, as in other matters, we have often to stop short of perfection and be content with second best. The two Bills were referred to a strong Select Committee, presided over by the Secretary of the Local Government Board, and the Committee came to the unanimous conclusion that it is desirable to leave the Bill permissive, leaving to the Local Authorities to say if they will or will not adopt its provisions. I have little doubt that we shall in time find it in universal application. I may, without assuming knowledge I do not possess, premise that this is probably the last Wednesday we shall have at our disposal for other than Government business, and I would urge that our only chance of carrying through a piece of useful legislation is to adhere to the permissive character of the Bill. I think we may have sufficient confidence in County Councils and Town Councils to leave them to say "aye" or "no" to the adoption of the Act.

*(4.24.) MR. RITCHIE: I hope that the Committee will accept the suggestion of the right hon. Gentleman (Mr. Fowler.) The object of the Bill is to enable Local Authorities to take advantage of existing legislation for the benefit of those they represent, and I confidently believe it will be taken advantage of throughout the country just as if its operation were made imperative. Such has been our experience of the Notification of Diseases Act. There is the advantage that we enlist the local sympathy and co-operation of Local Authorities, when by more drastic regulation we might excite opposition.

(4.25.) MR. BRUNNER (Cheshire, Northwich): Last year I held an opinion strongly in favour of the proposal in my hon. and gallant Friend's Amendment, but I have been converted by what I have heard from the right hon. Gentleman (Mr. Ritchie) and greatly encouraged by the reception his last great measure has received throughout the country. My right hon. Friend (Mr. Fowler) said a few months ago that he, at the beginning of the Session, represented the views of a number of Municipal Corporations. Now Municipal Corporations are always enabled to make their wishes felt in the House, but it is somewhat different in regard to Rural Sanitary Authorities, and on their behalf I would appeal to the right hon. Gentleman opposite (Mr. Ritchie). They do not always receive at the hands of his Department so much consideration as I think they are entitled to, the reason being, I suppose, that the officials being but human yield to the strongest. Now, the principles of public health are exactly the same in rural districts as in towns, and the causes of consumption are alike in each. I have in mind an instance in regard to a district in Cheshire where the Rural Sanitary Authorities were not able to obtain urban powers, with the result that consumption has prevailed to a terrible degree. If we could obtain general assent I could strongly wish that the whole of the Public Health Act should apply to rural districts as in towns. I trust that the right hon. Gentleman will, when he receives application from Rural Authorities for urban powers, give such applications his most favourable consideration.

*(4.28.) MR. RITCHIE: I am not sure that these observations come within the scope of the Amendment, but the hon. Gentleman has made a charge against the Department over which I have the honour to preside, that we do not give sufficient attention to the representations of Rural Authorities. In that I can assure him he is entirely mistaken. On the contrary, the authorities we find most difficult to persuade to take action in these matters are in the rural districts. I can assure the hon. Member that in reference to sanitary matters it often requires our most strenuous endeavours to put sanitary precautions into force. The

real truth is, the Sanitary Authorities are not always constituted in the manner we would desire.

4.29.) MR. BRUNNER: I may explain that the difficulty I spoke of arose before the right hon. Gentleman occupied office.

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 16.

*MR. KELLY: It is difficult to understand how it is that this clause appears in the Bill. No doubt the measure is a very useful one, but I doubt if this clause is workable. It provides that if any person turns into any drain pipe leading to any sewer water of a higher temperature than 110 deg. Fah., so as to be likely to cause a nuisance, or to be injurious to health, he shall be liable to a penalty not exceeding £10. Now, I do not think there is any Member of this House who would not every day come under that clause, when he is in the lavatory, for if the water in the basin is too hot he naturally turns it out. I do not know how one is to send hot water into a drain without causing a nuisance. What I would suggest is, that the clause should stipulate that the nuisance should be injurious to health. How can anyone send hot water into a drain without causing a nuisance? All I ask for is that it shall be provided that the nuisance shall be injurious to health. In the neighbourhood in which I reside there are some soap works, and frequently we have to shut our windows on account of the nuisance, which is not, however, injurious to health. We do not claim any right to interfere with the soap-boiler. If we choose to buy him up that is our own matter, but we cannot interfere with his business so long as it is not injurious to health. I will give another case in which this clause would work most inconveniently. A manufacturer has to have his boilers scaled every three months, and unless he is to throw his *employés* out of work for a day or two, he has to turn the hot water direct into the drains. I contend that the alteration I suggest, which would provide that the nuisance must be injurious to health, would cover all these difficulties. There have been three Bills passod which practically cover this point. There is the Stockton Act, the Scarborough Act, and the Dublin Act. I want to know why the people of London should not be treated in the same way as the people of Dublin in this matter, and only be made liable for nuisances injurious to health. It must be remembered that the general public are not in a position to know when these special provisions are inserted in Local Bills. The question is, is anyone to come under this penal clause simply because he causes a nuisance, although it may not be injurious to health? Of course, if the House does not choose to interfere, it is not for me to continue the discussion; but I do think this is a matter deserving attention, and I, therefore, beg to move the Amendment which stands in my name.

Amendment proposed, "To leave out Clause 16."—(*Mr. Kelly.*)

Question proposed, "That Clause 16 stand part of the Bill."

*(4.37.) MR. F. S. POWELL: The hon. Member is entirely inaccurate in his reading of the Bill. The words of the Dublin Bill appear in this Bill, and are found in the Public Health Act.

Question put, and agreed to.

Clause 26.

*(4.38.) MR. KELLY: In connection with this clause I wish to draw attention to a point arising under the Scarborough Act. It may surprise hon. Members to hear that Scarborough is filled with courts which are not swept or kept clean. This clause provides that in such cases the Urban Authority shall cause the courts to be swept and kept clean, and shall apportion the expense between the occupiers of the buildings situated in the courts or at the back of which the passage leads in such share as may be determined by the Surveyor of the Urban Authority, or in case of dispute by a Court of Summary Jurisdiction, and such appointment may be recovered summarily from the occupier. But is this the sort of clause which Local Bodies should be asked to adopt? Surely it is hard on the unhappy occupier, who has no control over the court or passage, to render him liable to be dragged before a Magistrate for his portion of his trifling expense—amounting, in all probability, to a few

pence—of sweeping out a court in which he may be living only quite temporarily. I beg to move the omission of the clause.

Amendment proposed, "To leave out Clause 26."—(*Mr. Kelly.*)

Question proposed, "That Clause 26 stand part of the Bill," put, and agreed to.

Clause 42.

*MR. KELLY: Under the Public Health Act of 1875 it is not in the power of any Local Authority to take over any private road until it has been channelled, sewered, paved, flagged, lighted, &c. It is incumbent on the Local Authorities to see that every one of these things is done before the road is declared to be repairable by the inhabitants at large. Now, the late Master of the Rolls, Sir George Jessel, said, in a case which came before him, that it was important to bear in mind that the expense of future repairs to a road would be much greater if it were not properly made in the first place, and that the interest of the public ought not to be sacrificed to those of the speculative builder or owner of land. With that I think we shall all agree. But, unfortunately, there are cases in which Local Bodies are swayed by questionable motives in taking over roads, and surely there should be some power to say that the works required to be carried out under Section 152 of the Public Health Act of 1875, should be properly done before the liability is thrown on the ratepayers of repairing these roads. I think the House should be careful not to make any alteration in the law which is calculated to throw further burdens on the ratepayers. I beg to move the omission of this clause.

Amendment proposed, "To leave out Clause 42."—(*Mr. Kelly.*)

Question proposed, "That Clause 42 stand part of the Bill."

*MR. F. S. POWELL: I think it would be extremely unjust to the whole community if this clause were omitted, as great inconvenience arises from want of the power which it would confer.

*(4.49.) MR. M'LAREN: It seems to me that instead of omitting the entire clause we ought to omit the words on page 17, line 40, "or any of them." That would then make it incumbent upon an owner to do all these works, and it would enable the Local Authority to take over a road in a complete state. It is not, I venture to think, the cost of repairing roads which has to be considered. It is the cost of making them. When a builder has laid out a piece of land for building purposes he is bound, under the existing law, to make a complete road. It is desirable in the interests of the ratepayers that this should be done; but if the clause is passed in its present form a Local Authority will be able to take over a new street or road, which is not lighted, or channelled, or paved. They will be able to take it over if only one of these things is done. It seems to me that we should lay down the principle that when an owner of land makes a new road he should properly complete it before the Local Authority can take it over. The remainder of the clause is right enough. I beg to move the omission of the words in page 17, line 40, "or any of them."

(4.51.) THE CHAIRMAN: Order, Order! The Question has already been put, "That this Clause stand part of the Bill." It is not competent, therefore, for the hon. Member to move this Amendment.

*(4.52.) MR. RITCHIE: No doubt there ought to be severe obligations entailed in the taking over of private roads. But this clause practically leaves the matter in the hands of Local Authorities, and if they think the cases are such as to require that the whole of these things shall be done they can insist on it, or they may limit themselves to certain of them. It is a matter which rests entirely with them whether or not they will take over the road. In a Bill which has already passed, the House has practically assented to these very words.

Question put, and agreed to.

(4.55.) CAPTAIN VERNEY: I beg to move the insertion in this Bill of the provision that Sections 171 and 172 of the Public Health Act shall be hereby re-enacted. The object of putting that in will be to give additional powers to the Rural Sanitary Authorities. These clauses give power to regulate the charges for the hiring of carriages and boats. Of course, Urban Authorities already possess the powers to make bye-

laws, but Rural Sanitary Authorities have them not. I have a particular case in my mind, which illustrates the necessity for this clause. Thousands of visitors every summer pour into the Menai Bridge Station. If they turn to the right they enter the precincts of the city of Bangor, and should they hire a carriage or a boat there is a defined tariff, so that the carriages or the boat may not be overloaded. But if they turn to the left they are outside the limits of the city, and they may be swindled right and left to any extent by the driver. The boatman may be a person incapable of managing a boat. The carriages may be overloaded, and the people may be charged more than a reasonable price. Well, if the words I suggest are inserted powers will be given to Rural, as well as to Urban Sanitary Authorities, to make these bye laws. I hope the House will admit that this is a reasonable proposition. I can see no reason why this power should not be given to Rural Sanitary Authorities, and, therefore, I move that these words be re-enacted in this Bill.

Amendment proposed, in page 17, after Clause 42, to insert the following clause:—

"Clauses one hundred and seventy-one and one hundred and seventy-two of 'The Public Health Act, 1875,' are hereby re-enacted."—(*Captain Verney.*)

Question proposed, "That this clause be read a second time."

*(4.58.) MR. RITCHIE: I think the Amendment is altogether unnecessary, because any Rural Authority may get permission, on application, to exercise these powers.

Amendment, by leave, withdrawn.

*(4.59.) MR. RITCHIE: I wish to express my obligations to the right hon. Gentleman the Member for Wolverhampton and to the hon. Member for Wigan for the assistance they have given in the passing of this most valuable measure. The right hon. Gentleman the Member for Wolverhampton and the Member for Wigan had Bills on the subject, and they most readily accepted the suggestion that all three Bills should be referred to a Select Committee. The result has been in every way satisfactory, and very important improvements have been made in the law in regard to these matters.

Bill reported; as amended, to be considered to-morrow.

TREES (IRELAND) BILL.—(No. 70.)

COMMITTEE.

Bill considered in Committee.

(In the Committee.)

Clause 2.

Amendment proposed, in page 1, line 16, after the word "planted," to insert the words "and registered."—(*Mr. Macartney*).

Question proposed, "That the words 'and registered' be there inserted."

(5.5.) MR. T. M. HEALY (Longford, N.): I think this is altogether needless. Naturally the Government will take the side of the landlords on this question. Ireland stands badly in need of trees, but the only way of encouraging the planting of them is by the simplification of the procedure under this Act.

*(5.6.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I am in entire sympathy with the Bill so far as it encourages the planting of trees, and with that view I desire to facilitate the passing of the Bill. I think that the provisions of the law as to registration ought to be embodied in this Bill, but I believe them to be capable of improvement, and if the Amendment is accepted I will submit a simpler and more workable scheme early in the course of next Session.

(5.8.) MR. T. M. HEALY: I think that that is a reasonable suggestion, and I trust that it will be acted upon.

(5.9.) MR. A. O'CONNOR: I think it would be most unreasonable for the Government to call on the tenant to register every tree he plants. If they intend to bring in a Bill next Session dealing with this matter, surely it is scarcely worth while to pass this Bill in its present unsatisfactory form. The hon. Member for Cork who is in charge of this Bill, has over and over again objected to this proposal.

(5.12.) The Committee divided:—Ayes 156; Noes 140.—(Div. List, No. 182.)

Amendment proposed,

In page 1, line 20, at end of Clause, to add the words "Provided always, that the provisions as regards the registration of trees contained in the statute passed in the session of the Parliament of Ireland of the twenty-third and twenty-fourth year of the reign of His late Majesty King George the Third, chapter thirty-nine, shall apply to all such trees, woods, fruit trees, and osiers, and that no such tenant shall be entitled to claim or exercise any such right or privilege as aforesaid, unless in reference to such trees, woods, fruit trees, or osiers, as shall have been registered within the time and in the manner mentioned in the said statute."—(*Mr. Macartney.*)

Question proposed, "That those words be there added."

(5.25.) MR. SEXTON (Belfast, W.): It appears to me that it would be a great hardship if the tenants should be deprived of their property in the trees they plant merely because of the statute referred to. Had they been aware of the statute they would most likely have taken means to secure their rights, but there is no doubt that they have created the property, and they ought not to be deprived of it.

*MR. MADDEN: I will briefly state the reason why we think that this registration should be insisted upon. The main object is to afford some evidence that the trees claimed by the tenant as his property were planted by him. A Bill was introduced in 1888 by the hon. and gallant Member for one of the Divisions of Galway, which I supported, extending the provisions of the former Acts, subject to this requirement as to registration, in order to secure that by some means or other the tenants should record the fact of their having planted trees. The hon. Gentleman is in error in supposing that if this Bill does not pass the tenant may avail himself of the provisions of the older Acts, which apply only to tenants who hold under certain classes of leases. As the hon. Gentleman was not in the House when I answered a question put to me, I will repeat what I said. I said that although I could not agree to exclude from this Bill provisions for registration which are contained in all the Irish Timber Acts, still I quite admitted that the existing provisions of the old Act were obsolete and cumbrous, and I stated to the hon. and learned Gentleman that next Session I proposed to bring in a Bill to simplify the mode of preserving evidence of the fact that the tenant had planted the trees in respect of which he claimed.

COLONEL NOLAN (Galway, N.): I do not think the Bill will be of very much use if this Amendment is passed. This Registration Act will be passed within a year of planting the trees, and some farmers or capitalists will plant trees as a speculation. No ordinary tenant will get any benefit. What I think you should do, is to give the tenants two or three years in which to register. The great majority of cases are not touched by the remarks of the Attorney General.

It being half after Five of the clock, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again To-morrow.

SOLICITORS (MAGISTRACY) BILL.

(No. 99.)

COMMITTEE.

Bill considered in Committee.

(In the Committee.)

Clause 1.

(5.31.) MR. T. M. HEALY: I am sorry to disoblige the hon. Gentleman in charge of this Bill, but as Gentlemen opposite will let no Irish Bills through, I cannot let them get any English Bill through. I beg to move that Progress be reported.

MR. MACLURE (Lancashire, S.E., Stretford): The Amendments on the Paper are all accepted, and I would appeal to the hon. Member not to oppose the Bill.

(5.32.) MR. T. M. HEALY: I can assure the hon. Member that there is not a Tory on that side of the House who would be more sorry to disoblige him than I am, but as it is impossible for us to get any legislation through, we must make it impossible for Gentlemen opposite to get any through.

Committee report Progress; to sit again To-morrow.

IRISH ESTIMATES.

(5.38.) MR. T. M. HEALY: I beg to give notice to the right hon. Gentleman the Secretary to the Treasury that,

as soon as Supply is reached to-morrow, if the Votes for the Lord Lieutenant and Chief Secretary are combined in one, I shall immediately move to report Progress.

WAYS AND MEANS.

Considered in Committee; Committee report Progress; to sit again To-morrow.

PUBLIC PETITIONS COMMITTEE.

Fifteenth Report brought up, and read; to lie upon the Table, and to be printed.

MOTION.

MERCHANT SHIPPING ACT AMENDMENT (NO. 2) BILL.

On Motion of Mr. Howell, Bill to restrict the deckloading of Timber and live Cattle, and to provide water-tight Bulkheads, ordered to be brought in by Mr. Howell, Mr. William Abraham, Mr. Broadhurst, Mr. Burt, Mr. Cremer, Mr. Fenwick, Mr. Pickard, and Mr. Rowlands.

Bill presented, and read first time. [Bill 374.]

MIDWIVES' REGISTRATION BILL.

The Select Committee on Midwives' Registration Bill was nominated of,—Dr. Farquharson, Dr. Fitzgerald, Sir Frederick FitzWygram, Sir William Foster, Mr. Howorth, Mr. John Kelly, Sir Roper Lethbridge, Mr. James William Lowther, Mr. Maclure, Mr. Fell Pease, and Mr. Rathbone.

Ordered, that three be the quorum.—(*Dr. Farquharson*).

POST OFFICE SERVANTS.

On Motion for Adjournment:—

(5.40.) MR. CONYBEARE (Cornwall, Camborne): I want to ask the right hon. Gentleman who represents the Government a question which I should have desired to put to the Postmaster General had he been in his place. I want to place before the House the fact that the difficulty at the General Post Office has reached a very critical point at the present moment. The difficulty has arisen in this way. I put a question to the right hon. Gentleman the Postmaster General on Monday night, and pointed out that the men were willing and anxious to avoid any friction, and that they had accordingly accepted the proposal put forward by Mr. Shipton on behalf of the Trades' Union Council, and passed a resolution that no attempt to strike should be made until a report of the result of the intervention had been received by them, provided that no supernumerary labour was introduced to supplant the men during, what I may call, the truce. I had hoped that that representation might have stayed the hand of the Postmaster General, but it may be recollected that the right hon. Gentleman (Mr. Raikes) met my remarks in an exceedingly hostile manner, and intimated—what was certainly not the case—that the men were backing down and giving in to whatever he might demand of them. Practically he threatened that he would continue to import what are technically known as—I do not use the word offensively—blacklegs. Yesterday these supernumerary hands were put on, and the consequence is that there have been to-day, at the different post offices, conflicts, not of a serious character, I suppose in consequence of the men naturally refusing to work with those whom they regarded as blacklegs. In the course of the day the Postmaster General, or his subordinates, have insisted on the men signing a declaration to the effect that they will agree not to strike before the 21st of July. The first form of the declaration was that they should not strike at all. I believe that Sir A. Stephenson Blackwood has this afternoon given way to the extent I have stated, and the declaration now asked for is that the men shall not strike before the 21st of July—that is to say, during the time of the intervention agreed upon on Monday night last. It is perfectly obvious that if the men were compelled to sign a declaration of that kind the Postmaster General would be free, during the 12 days, to draft in the blacklegs and to teach them the business. The men ask merely for a recognition of their rights of combination, and for a re-instatement of the men who have been suspended or dismissed because they have stood up for their rights. If the Postmaster General, or his subordinates, insist on the men signing this declaration, or on calling in the police or military, if necessary, for the purpose of turning them out of the Post Office, I need hardly point out the exceedingly grave difficulties that must result. I do ask the right hon. Gentleman not to proceed

with these extreme measures. The men are perfectly willing to sign the declaration which I have read, not to strike before the 21st of July, provided that the authorities on their part undertake not to introduce any additional labour during that time, and that the additional labour now employed be got rid of. The men are most anxious not to dislocate the Public Service, and if the Postmaster General deliberately employs blacklegs for the purpose of supplanting them, it is an intolerable state of things, and one which, I think, this House ought to take into consideration. It is too late to put a question down on the Paper for to-morrow with regard to the particular points I am raising, and I regret very much that the Postmaster General is not present. If he had been in his place I should have asked him how many men have been suspended in the East Central District; how many in the West Central District; and how many in the Mount Pleasant District; how many supernumerary men have been introduced at each station; and whether it is not the fact that the new men introduced have been in excess of those suspended or dismissed. I, this afternoon, asked permission to go into the Post Office to examine the working of the station, but permission was refused by Sir A. Blackwood. I do not say he was not justified in his refusal; but, in view of the discussions which must arise on the Post Office Vote, I think it would be only right that Members of Parliament should have access to the Post Office. I shall certainly press the right, if I am again refused, to see something of the inner working of the Post Office between now and the time the Post Office Vote comes on for discussion.

(5.48.) MR. J. ROWLANDS (Finsbury, E.): I think we have some cause to complain—with all respect to the Secretary to the Treasury, who seems to think it a joke that an inquiry should be made at this period into the state of the Postal Department—that the Postmaster General is not in his place, because he must have expected that some questions would be asked on so important a subject. I have this afternoon received telegrams from commercial men in my constituency, to the effect that they have already been inconvenienced by the state of things at the Post Office, and I wish to know if the Postmaster General is going to take steps to secure the proper carrying out of the Postal Service. I want to know if he intends to persevere in a policy which will dislocate the Postal Service, or adopt one that will conciliate the postmen, and enable work to be carried on in the regular way. The whole of the Metropolis is in a state of excitement on this question, and we have a right to know something definite as to whether we can expect the work of the Post Office to go on peacefully and properly. I am not going into the details of the case, which have been dealt with by the hon. Member for the Camborne Division. The whole thing will have to be threshed out when we get a chance of dealing with the Post Office Vote. But, in the interest of the general community, I wish to know whether we can depend upon such action being taken by the head of the Post Office as will ensure that the Department will not be disorganised by his conduct. Can the commercial and trading classes rely upon receiving their communications in the way they received them before this crisis came upon us?

(5.50.) THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I am sorry that the hon. Member should have thought I am inclined to treat this matter as a joke. Nothing is further from my desire. But I would say I think that if anybody has reason to complain it is the Postmaster General. For my own part, I know nothing of the circumstances, but I apprehend that no notice was given to the right hon. Gentleman that questions were going to be asked. I venture to say that it is a little inconvenient that statements of this kind should be made in the absence of the Minister responsible for the Department. I am sure that, if notice had been given, my right hon. Friend would have been perfectly willing to answer the questions put. I myself, of course, am unable to do so.

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 10th July, 1890.

LORD CARBERY.

Report made from the Lord Chancellor, that the right of William Charles Baron Carbery to vote at the elections of Representative Peers for Ireland has been established to the satisfaction of the Lord Chancellor; read, and ordered to lie on the Table.

TRUSTEES APPOINTMENT BILL.
(No. 84.)

Returned from the Commons agreed to.

BANKRUPTCY BILL.—(No. 188.)
METROPOLIS MANAGEMENT AND BUILDING ACTS AMENDMENT BILL.
(No. 189.)

Brought from the Commons; read 1ª, and to be printed.

PHYSICAL EDUCATION IN ELEMENTARY SCHOOLS BILL.

A Bill for the promotion of physical education in elementary schools—Was presented by the Lord Chaworth (*E. Meath*); read 1ª; and to be printed. (No. 190.)

INFECTIOUS DISEASE (PREVENTION) BILL.—(No. 117.)

House in Committee (on Re-commitment), according to order.

Clause 23.

LORD LAMINGTON: There is an Amendment on page 8, after line 35, to insert—

"The reference in this Act to Section 120 of the Public Health Act, 1875, is to be taken to be a reference to the Public Health (Ireland) Act of 1878."

THE EARL OF KIMBERLEY: Should it not be "reference also"? Otherwise you exclude the English Act. If you make it a reference only to the Irish Act will not that exclude the English Act?

LORD LAMINGTON: I understand it takes them both together.

THE EARL OF KIMBERLEY: What I mean is this. Certain provisions are made as to Section 120 of the Public Health Act, 1875, and the object of the noble Lord is to apply them also to the Irish Act; but the words he proposes would, in point of fact, limit the reference to that Act. If it is a reference only to the Irish Act, it will not effect its object as regards the English Statute.

LORD LAMINGTON: If it is a question of words that can be done on the Third Reading. I look upon the Amendment as consequential upon the Amendment made by the Standing Committee in Clause 5.

THE EARL OF KIMBERLEY: I do not think the noble Lord quite sees what I mean. Clause 5 says that Section 120 of the Public Health Act, 1875, shall be repealed for certain purposes. This Amendment proposes that the reference to Section 120 of the Public Health Act shall be taken to be a reference to an Irish Act; it follows, therefore, if it is a reference only to the Irish Act, you will not repeal Section 120 in the English Act. Of course, what the noble Lord means is, that the reference to the clause shall include the English Act as well as the Irish Act. Perhaps the noble Lord will consider that point by the next stage.

Amendments made; the Report thereof to be received to morrow.

SUPREME COURT OF JUDICATURE (PROCEDURE) BILL.—(No. 170.)

SECOND READING.

Order of the Day for the Second Reading, read.

LORD HERSCHELL: My Lords, this is a Bill which has received the assent of the other House, and its object is to make some Amendments in the proceedings of our Courts of Justice, which have been suggested by the experience gained since the Judicature Act came into operation. I need only detain your Lordships for a minute or two in explaining the changes which it is proposed to make. The main charge is this. At the present time, if a case is tried by a Judge without a Jury, all questions of law go at once direct to the Court of Appeal, and are determined there. If the case is tried by a Judge with a Jury, then any question as to the law, as laid down by the Judge at the trial, or the finding of the Jury, goes to a Divisional Court, generally consisting of two Judges, with an appeal

from their decision to the Court of Appeal. I need hardly point out that a double appeal of that description, in the cases in which it takes place, causes very considerable expense to the parties, in addition to some amount of delay. The proposal made by this Bill is that, in future, all applications for a new trial, in cases tried by a Judge with a Jury, shall go direct to the Court of Appeal, instead of only going to the Court of Appeal after passing through the Divisional Court. I think there can be only one possible objection of substance to such a proposal, and that would be that the Court of Appeal would be too much occupied with its existing work to be able to attend in due time to the additional work imposed upon it by this Bill. But I may tell your Lordships that, happily, the Court of Appeal has of late got so well forward with its work that it has been able at times to assist the Courts of the Queen's Bench Division in the disposal of the cases that come before them. I think experience has shown that the additional work that will be cast upon the Court of Appeal by this Bill is not such as they will not be able satisfactorily to deal with. The only other matter with which I need trouble your Lordships is a proposal to enable certain cases which hitherto could only be heard by two Judges forming a Divisional Court to be heard by one Judge. There will, of course, still be an appeal to the Court of Appeal; but there does not seem to be any reason why certain cases should be heard only by two Judges which can be equally well heard by one. There are other matters dealt with in the Bill, but, as they are only matters of detail, I need not detain your Lordships further with them now.

Moved, "That the Bill be now read 2ª."—(*The Lord Herschell.*)

LORD ESHER: My Lords, the Court of Appeal finds itself in the usual happy position of people who work hard. The Court of Appeal has worked extremely hard, and reduced the arrears before it, and the result is that they are asked immediately to take a great deal more work. I shall not object to the Second Reading of this Bill, as far as the first clause is concerned, which will send the new trials, of which my noble and learned Friend has spoken, directly to the Court of Appeal. As to the other parts of the Bill, I have a strong objection to them, for I cannot agree to the statement that it would be advisable that special cases which are intended to be taken before a single Judge by the Bill should be so taken. But that is a matter which may be discussed in Committee. I am sorry this Bill is pressed, for a particular reason. I think it is very much as if you were to put a patch on one corner of a large counterpane. This Bill will not satisfy anybody. There are discussions and complaints about the administration of the law in a dozen other points even much more important than this. But I do not think this is an occasion upon which it would be advisable for me to make a speech with regard to law, for I suspect if I did it would not be very agreeable to the House in its present position, therefore I propose not to talk any more law to-night; but, if I may be permitted, I will give notice that I shall, on this day week, call your Lordships' attention to alleged defects in the administration of the law, and ask Her Majesty's Government whether, after hearing that statement, they will not grant a Royal Commission for the purpose of inquiring into those defects, so that with regard to such of them as shall be found really to exist, the Commission may propose remedies, with the object of bringing forward immediate legislation.

THE LORD CHANCELLOR: I heartily concur with the proposal of my noble and learned Friend who has moved the Second Reading of the Bill. There is no sense or reason in preventing a case from going direct to the Court of Appeal after being tried by a Judge and Jury, and thus causing additional expense. It seems to me very reasonable that it should go immediately to the Court of Appeal, and that it should be there decided whether there should be a new trial or not. With regard to the other points of the Bill, I am not quite sure that I approve of them.

On Question, agreed to.

Bill read 2ª (according to order), and committed to the Standing Committee for Bills relating to Law, &c.

ALLOTMENTS ACT (1887) AMENDMENT BILL.—(No. 151.)

COMMITTEE.

House in Committee (according to order.)

Clause 5.

*EARL BEAUCHAMP: This clause gives power to the County Council, or any Committee appointed under this Act, to make use of any public elementary schoolroom, that is to say, where the school is receiving a grant for the purpose of elementary education. The purposes described are three-fold: one is for the purpose of an inquiry under this Act; and another is for the purposes of this Act by the County Council or any Committee appointed under this Act. Those are two of the purposes for which the schoolrooms may be compulsorily used; and if the clause had rested there I do not think I should have troubled your Lordships with any Amendment. But the clause goes further, and says that the schoolroom may be used for the purpose of holding public meetings to discuss any question relating to the subject of Allotments under this Act or the principal Act. That is a wholly novel use to which our schoolrooms are to be applied, and I think your Lordships should consider well whether you will give the powers asked for. I should explain that my Amendment ought to come, not in line 31, but in line 32. I do not propose to interfere in any way with the use of the schoolrooms for the purposes of this Act, either by the County Council or by the Committee, but when you go further than that and say that they are to be used for the purpose of public meetings being called by persons who are in no degree responsible, I think the power should not be given. It does not say who the meetings are to be convened by, or under what limitations the schoolrooms are to be used, and I think your Lordships will see you would be making a grave innovation on the rights of property. These schools may be assisted with public money, but many of them have been built under trust deeds for the purpose of education, and they are limited in that way in regard to the purposes for which they may be used. There are, of course, discretionary powers for the purpose of enlarging the use of those schoolrooms by particular persons and under proper safeguards. Those safeguards are wholly wanting in the clause. Therefore, I propose that the consent of the freeholder should be required when the schoolroom is used not under the authority previously mentioned, but by irresponsible persons for public meetings. It is a notorious fact that many schoolrooms which receive grants of public money for the purpose of elementary education are still the property of private persons, and I do not see why, where benevolent persons have built schoolrooms, free of any charge upon them by way of rent, for certain definite purposes, they are to find those purposes suddenly enlarged, and the buildings which were intended for the purpose of education, should be applied to purposes wholly dissimilar, without any consent of theirs, and without any proper limitations or safeguards. Therefore, I move that in line 32, after "Act or," these words should be inserted "with the consent of the freeholder." That will ensure that proper care will be taken in so using the schools, because the freeholder will, of course, not give his consent unless he feels satisfied that the persons holding the meeting are responsible persons. Therefore, I hope your Lordships will assent to the addition of those words, which will ensure proper care and afford a safeguard that our schools shall not be left, without any control or limitation, in the hands of irresponsible persons. The words, if inserted there, will not interfere in any way with the legitimate operation of the Act; they will only tend to prevent the holding of possibly disorderly meetings.

Amendment moved, in line 32, to insert after the word "or," the words "with the consent of the freeholder."—(*The Earl Beauchamp.*)

*THE PAYMASTER GENERAL (The Earl of JERSEY): I am afraid I cannot accept the Amendment of the noble Lord, though certainly the altered position in which he proposes now that it should be placed in the Bill would somewhat limit its application. I am afraid that if the consent of the freeholder had to be obtained, it would, in some cases, defeat the intention of this clause. The

object of this clause is to enable the people in the locality to hold meetings in village schoolrooms in reference to allotments. Now, the freeholders may be represented in various ways; they may be represented sometimes by the School Board, sometimes by Trustees. In rural places, the School Boards seldom meet more than once a month; and Trustees may be scattered all over the country, so that there would be great difficulty in obtaining their consent. However, as, on the Report, I propose to add some words with reference to the meetings to be held, perhaps it may meet the convenience of the noble Lord to postpone the consideration of this proposal until the Report

*Earl BEAUCHAMP: As I understand, from what the noble Lord has said, that he looks with considerable satisfaction upon the proposed alteration, I will not trouble your Lordships with it further on this occasion, but raise it on a later stage.

Amendment (by leave of the Committee) withdrawn; Bill reported without amendment.

ELEMENTARY EDUCATION (BLIND AND DEAF) BILL.—(No. 155.)

SECOND READING.

Order of the Day for the Second Reading, read.

*The LORD PRESIDENT of the COUNCIL (Viscount Cranbrook): I need not detain your Lordships very long in respect of this Bill, which will rather, I think, depend upon consideration in Committee than upon its principle. My noble Friend opposite, Lord Granville, introduced to me early this year a deputation upon this subject which followed upon a Royal Commission which went carefully into this subject, both in England, Scotland, and Ireland, and had also, in fact, studied its position in foreign countries. Their recommendations were, in fact, that blind and deaf children should be placed in the same category as children possessing ordinary faculties; that is to say, that they should be liable to come under the Elementary Education Act, and subject to the same law as to education as other children in the country. At the same time, it was found that the expense necessary for the education of the blind and deaf is necessarily on a very different scale to that which is necessary in the case of ordinary children. Therefore there has been some difficulty in England in endeavouring to frame a measure to deal with that point; and, in reference to calling upon the School Boards or County Councils, or the School Authorities in connection with the County Councils, to find funds for the proper education of those children, I need not say, my Lords, how important it is that these poor children should be educated. There are now a great number of blind who are perfectly unable to support themselves in any way; there are, I think, some 4,000 or 5,000 who have no means of support of any kind. It is, therefore, an important question whether it is not better for the State to do something for them in the way of education, in order to enable them to use the other faculties they possess, which they are often well able to use in spite of their deprivation of sight, hearing, or speech. We have seen how many have been able to more than overcome their disabilities, like the late Postmaster General, Mr. Fawcett. We can, therefore, see how important it is that they should have a thorough education. With regard to deaf mutes, many of them having no organic defect but deafness, possessing even the means of speech, only that they hear no sound, and, therefore, are of themselves unable to speak on that account, or utter intelligible sounds, it is almost necessary that they should be educated in separate institutions. With regard to the blind, it is not always the case, but in their case, also, it is necessary that they should have a special education. This Bill will give power to send them to institutions for that purpose. I have received very few communications with regard to the Bill, and very few Amendments. But there is one point which I think is very reasonable, that is, that in the case of parents who would, if they could, use the ordinary elementary schools they should not be called upon to pay a higher fee for the education of these afflicted children than in the case of ordinary children. The necessity of spreading the expenditure, by not confining it in narrow limits or in particular localities, would, I think, become evident to your Lordships if you

were to look into the question and see how unfortunately, by the intermarrying of people of this class, there is a perpetuation of deaf-mutism, and sometimes even of blindness, in the most remarkable manner, and, therefore, the burden would fall with exceeding heaviness in some places when there were many afflicted. To give your Lordships an instance. I received a card the other day giving particulars of a case where two deaf-mutes had married, and had produced five deaf-mute children, who would, of course, require to be educated in some institution. That is a lamentable state of things, but possibly there may be means by oral instruction of bringing a readier communication between the deaf and hearing people. Making provision for educating them in this way will, we may hope, lead to that result, so that marriages shall not so frequently take place as they now do between deaf-mutes. We cannot, of course, interfere in that matter by this Bill, but by means of education we may hope that something will be done in that respect. I am sure your Lordships will feel that these unfortunate children have some claim upon us, and that they need provision for their education quite as much as other children in the country. Those of your Lordships who have looked into the matter, will, I am sure, approve of the measure, and I think I shall meet the wishes of the House on the present occasion by not offering further remarks upon it. I know I have the approval of my noble Friend opposite, and I now leave the matter in your Lordships' hands.

Moved, "That the Bill be now read 2ª."—(*The Lord President of the Council.*)

EARL GRANVILLE: As the noble Viscount has referred to me, I am anxious to state that the Bill, the objects of which he has so clearly described, will have my warm support. There are two or three Amendments of mine, one of which he has already mentioned, which I had thought of bringing forward on the Second Reading, but as there is other business of importance before your Lordships, I had better reserve them for Committee. In the meantime, no doubt, the noble Viscount will permit me to communicate with him on the matter.

On Question, agreed to.

Bill read 2ª (according to order), and committed to the Standing Committee for General Bills.

ANGLO-GERMAN AGREEMENT BILL.
(No. 180.)

SECOND READING.

Order of the Day for the Second Reading, read.

*THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, I rise to move the Second Reading of a Bill for the purpose of confirming a portion of the Agreement which was signed at Berlin on Tuesday week—that portion of it which provides for the cession of the Island of Heligoland to the German Empire, and, as the Bill is exclusively concerned with that island, I will make some remarks with reference to it; but I hope your Lordships will not consider me out of order if I go afterwards for a few moments into the general provisions of the Agreement in regard to other places than Heligoland. Perhaps, in strict order, I ought not to do so, but in this House we are indulgent in that respect. The island of Heligoland, as your Lordships are aware, is about three-quarters of a mile in extent, in the bay formed by Germany and the peninsula which ends in Denmark. It was taken in the year 1807, at a time when we were at war with Denmark, to whom it then belonged. Denmark was then the owner of the Frisian territory of Schleswig, to which this island naturally and by population belonged. It was of value to us in that great war for a reason that would not occur at first sight. The year when it was taken was the year following the issue of the Berlin Decrees by Napoleon, of which the aim was to ruin England by the exclusion of her manufactures and commodities from the Continental markets. It was natural that this strange and unprecedented policy should be met by efforts to break through the line which he had set up, and Napoleon's policy was, to a great extent, fought by the smuggler. Heligoland was of great use, lying within 20 miles of the nearest German coast. It was of great use as a store for goods afterwards to be in that manner intro-

duced into the Continental markets in spite of Napoleon's Decrees. Towards the end of the war, but before it had concluded, and while Napoleon was still fighting gallantly in the Eastern Provinces of France, in January, 1814, a Treaty was concluded at Kiel, of which the main object was to provide that Norway, which had previously belonged to Denmark, should thenceforth belong to Sweden. In that great contest Denmark had the misfortune to take the wrong side, and Sweden had the good fortune to take the right side, and the transfer of Norway from Denmark to Sweden was the expression of that fact. Heligoland, which also had been taken from Denmark, was by the same Instrument transferred to the British Crown. I do not think there were any further stipulations with respect to it. It remained part of the territory of this country by virtue of the Treaty of Kiel. No doubt the motive for retaining it was partly the natural wish to retain territory, and partly that, as our contest was not then concluded, the value of the island was still considerable. It was held as a military post for some years. Up to the year 1821 there was a military establishment in the island; but in that year—not a year when peace theories were in vogue, but when the military spirit was very strong in this country—it was determined to withdraw the military establishment, and since that time the island has remained unoccupied by any considerable force, unfortified and practically unarmed. It has remained entirely undefended, and I believe there has been no attempt to defend it. Certainly there has been no indication of any intention on the part of Parliament or the Executive Government of the country to undertake the arming or defending of it; and I believe there is no doubt that the recommendation of the Colonial Defence Commission was expressed strongly against any such course. In truth, the value of the island is generally recognised for any strategic purposes as very small. It has no harbour. It has an open roadstead, which is untenable in a north-west wind, which is the prevailing wind. The commercial value of the island, again, as far as this country is concerned, may be expressed by very minute figures. I believe the import of British goods into the island in the course of the year amounts to £50 in value, or not quite that. The population are, as I have said, Frisian. They speak Low German, the language of the coast opposite. I believe there are only 5 per cent. that are not of that nationality, and they have not materially altered—they have increased in numbers, not much during the intervening period. Now, the point that we have to consider on the present occasion is, Is this island of any strategic value to this country? I have shown that commercial value, from the want of a harbour and for want of a market, it has none. Has it any strategic value? In time of peace, of course, the question of strategic value does not come up, but it may just be mentioned that even in time of peace it is apt to be a slightly inconvenient possession, because I think it was found during the late Franco-German War that its proximity to the German coast was sufficient to invite attempted breaches of neutrality, which are very convenient to belligerents, but which we know to our cost are apt to be exceedingly onerous to neutrals. But I will not dwell upon a consideration of that kind, which is not of paramount importance; I will ask, what would be the value of the island to us strategically in case of war? There are two cases—one a great deal more probable than the other, or rather less improbable than the other. One is the case of our being at war with Germany. Well, as I have said, the island is entirely unfortified. It lies within a few hours' steam of the great arsenal of Germany. If I am to suppose what I imagine is so utterly improbable a case as a war with Germany, I presume that if this island remained in our possession, the very day of the declaration of war a sufficient force, with all necessary materials and guns, would be despatched to it, and would arrive at the island probably considerably before any relieving fleet could arrive from our side. Experts differ a good deal as to its value in the case of war with Germany. Some think it of no value at all, while others think that it might be useful as a coal depôt to a blockading fleet; but a coal depôt, when England is so near, though it may be a convenience, can hardly be called a great advantage. The case, therefore, in respect to a war with Germany would be that it would

expose us to a blow which would be a considerable humiliation, and it would not confer upon us any great advantage, if any advantage, in the conduct of the war on our side. But let us take the much less improbable supposition of our being at war with somebody else. This island is undefended, and can be defended only by a sufficient Naval force. If we were at war with any other Power it would be, therefore, necessary for us to lock up a Naval force for the purpose of defending this island, unless we intended to expose ourselves to the humiliation of having it taken. My Lords, our fleet is a large one, and I am happy to say it has recently been augmented, but it is none too large for the work it has to do, with our extensive and extending Empire, stretching into every corner of the globe, and meeting with new rivalries at every turn. I think all who have studied the subject will say that in defending our dependencies, and in defending our line of trade, our fleet, great and powerful as it is, would be taxed up to its fullest energies. I think we should labour under a distinct disadvantage if we have a position contributing in no degree to the defence of the Empire without commercial or other value, and which yet, in order to avoid a humiliating blow, would require a certain Naval force to be locked up and kept useless for every other purpose. On these grounds, my Lords, we have come to a conclusion, which I imagine is the conclusion held by many persons, and has been held for a long time, that this island, unfortified and undefended, is not an advantageous possession, but that it is one which for a proper consideration it would be well for the Empire to be divested. But the consideration has been raised by noble Lords opposite and others who deal with the question from a different point of view. It is said that the inhabitants of the island are opposed to the cession, and that their veto ought to be conclusive. My Lords, I do not think that the inhabitants of the island are opposed to the cession. There is no reason that they should be. They have not a long descended ancestral connection with the British Crown. There may be men there, living now, who were alive when the island was originally taken. They are related by the closest bonds of language, of race, of religion, with those who live almost within site of their shores. Their pecuniary interests, to come down to motives which are less noble to dwell upon, though they are often powerful in these cases—their pecuniary profit in no way is increased by the connexion of the island with this country, nor can they look with any advantage to the continuance of that connexion. On the contrary, their whole prospect of gain depends on the large number of German bathing excursionists who go there in the summer, and that source of wealth would not diminish, but would, if anything, increase, if the island formed part of the German Empire. And it is probable, though the island is worthless to us from a strategic point of view, it will not be thought to be worthless to those near whose coasts it lies, and the military expenditure which would be the result of any determination to fortify it will form a large addition to the resources of the islanders, and I have no doubt has already been discounted by them. I am informed, and your Lordships, I think, have been generally informed, that a very enterprising nationality have already purchased up most of the land in the island. But while I say this, I cannot admit the doctrine that the decision of a population of a position that has been occupied for military and belligerent purposes is conclusive with respect to the uses to which that position should be put or the destiny which shall attend it. You must draw a line between two sorts of possessions—those possessions which you rule for the benefit of the population that is in them, and those possessions which you hold in order to contribute to the defence of the Empire as a whole; and that latter class of positions, of which we have several, cannot complain of any injustice if it is said that Imperial considerations must occupy a place of paramount importance in the mind of the Government of this country with respect to them, just as local considerations would occupy a place of paramount importance with respect to positions of another kind. My Lords, cession is a very uncommon event, and it is not very likely to be repeated; but this doctrine, which has been rather insinuated on the present occasion, may stretch much further than cession. A hint was given that we ought to have taken the opinion of the people in

some form or other, and we could only take it by way of *plebiscite.* Well, if people are asked to vote by *plébiscite* on a question of Imperial policy like this, they may also claim to vote on the question whether their country shall not be ceded; if their opinion is to weigh so heavily on the question whether they are to be ceded, it ought to weigh equally heavily in the other direction. But there is another case—a case which might become practical and important, having nothing to do with cessions—I mean the case where it is necessary to get rid of, or to induce the inhabitants to depart when the danger of war is imminent, and the possibility of actual siege arrives. My Lords, most of you who have paid any attention to these subjects know that a problem of a very serious kind attaches to one of our most important positions in that respect, and you would be very unwise to admit that posts which are occupied, or have been occupied, for belligerent purposes, Imperial purposes—that the paramount disposition of them can be affected because the population which has grown up upon the position has interests in a different direction. My Lords, I said we have come to the conclusion that this island is one which it would be not only no disadvantage, but an advantage to this country to transfer, if we could obtain for it a satisfactory consideration. The consideration for which we look lies on the East Coast of Africa. There we have obtained, as will have been seen from the Treaty which has been laid on the Table, an undertaking from Germany that she will not oppose our assumption of the protectorate of Zanzibar, and likewise a similar engagement with respect to the Sultanate of Witu, and the long line of coast dependent on Witu to the north. The objects of these stipulations are, of course, to make our influence predominant in these countries. With Witu we have had no ancient connection, but it has become a position of considerable value in consequence of the large tract of country which has been acquired by the British East Africa Company, reaching up from the coast to the Victoria Nyanza Lake. As long as the Sultanate of Witu was in the hands of another Power, there was a possibility of annexations and expeditions to the north of us, which would have cut off British influence and British dominion from the sources of the Nile, from the Lake Albert Nyanza and the valley which lies at the base of the mountains of Abyssinia. The advantage of the acquisition of Witu is that it cuts off any rivalry in this respect, and that, save for the Italian dominion over Abyssinia and its dependencies, we have no rivalry to fear from any European civilised Power until we reach the confines of Egypt. I do not, by any means, say that is an advantage of which all the results will appear immediately, for, as we know, the valley of the Nile is occupied by another Power which is not European and which just at present is not very much inclined to make room for us. But the advantage of limiting our rivalry to an Asiatic or African tribe is one which those who are engaged in these enterprises appreciate very highly. But, in addition to this, we have obtained the promise that Germany will not resist our assumption of the protectorate of Zanzibar, including the Island of Pemba. Zanzibar has 300,000 of a population which has very close commercial connection with our fellow-subjects in India, and the more closely it is brought under our influence the more that commerce is likely to flourish. It lies in the pathway from the Red Sea to Southern Africa; it must always be a commercial place of the first importance; it maintains an enterprising population and has a fertile soil; and there is no spot in all those waters more valuable to a maritime and commercial nation than Zanzibar and Pemba. But it has also to us a very special interest—that, with the exception of what goes on in the Red Sea, I think all the living slave trade, all the slave trade which is now actually in operation, goes upon that sea and is fed by the Arab traders from Pemba and Zanzibar, and the closer our influence over the Government of the Sultan becomes, the more we may hope we shall succeed in that great effort for which this country has sacrificed so much—the effort to destroy the slave trade and gradually to extirpate domestic slavery. I believe that in that effort we shall have a thorough support from the present enlightened Sultan of Zanzibar. We have every ground to believe that he sympathises with us in this respect, and the relations in which we will now stand under the new

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arrangement to that ruler will very much facilitate our task. But what it is important your Lordships should observe is that the only impediment to our complete influence in Zanzibar was the counter influence of Germany. Germany had a power in the Court of Zanzibar owing to the settlements it occupied on the mainland and the rights it had acquired over the Zanzibar coast; and however friendly the relations of the two Governments have always been, it nevertheless must inevitably be the case where two nationalities are struggling for the mastery that the struggle is not entirely destitute of the elements either of irritation or of danger. It has been said that in taking back our influence at Zanzibar we have only undone what we ourselves had previously done—that we gave to Germany her power over Zanzibar and are taking it back again, and I think that in the observations of Lord Rosebery the other night there was a considerable trace of that impression. [The Earl of ROSEBERY: Hear, hear!] That is not the case. I think it is well that anybody, in considering the recent history of Africa, should take notice of the enormous change which has taken place in the attitude of this and other countries towards it during the last 10 years. Up to 10 years ago we remained masters of Africa practically, or the greater part of it, without being put to inconvenience by protectorates, or anything of that sort, by the simple fact that we were masters of the sea, and that we have had considerable experience in dealing with the native races. So much was that the case that we left enormous stretches of coast to the native rulers in the full confidence that they would go on under native rulers, and in the hope that they would gradually acquire their own proper civilisation without any interference on our part. Then suddenly we found out that that position, however convenient, had no foundation whatever in international law. We had no rights over all these vast stretches of coast both on the West and East Coast of Africa. We had no power of preventing any other nation from coming in and seizing a portion of them, and the noble Lord opposite, Lord Granville, was suddenly confronted with a demand on the part of Germany, first on one part of the African coast and then on another part of the African coast, to be allowed to occupy enormous stretches of territory which, up to that time, had been looked upon as practically under the protection of England. I do not mention this as complaining of the noble Lord for the decision he took. On the contrary, I think it was a necessary decision. It was impossible that England should have the right to lock up the whole of Africa, and say that nobody should be there except herself; and I think that the noble Lord opposite arrived at a correct solution of the difficulty when he frankly allowed that Germany as well as England should take part in the task of developing the vast untrodden fields of Africa, making them into new outlets for colonisation by the excessive population at home, and new fields of industry and trade. But I only demur to the statement made that I did it. It was entirely settled before we came into office. I may be allowed, as the noble Earl cheered what I said just now, to read a passage bearing on this point. On May 5, 1885, Count Münster makes this Report on the occasion of Count Bismarck's last visit to London. I am reading from a Parliamentary Paper—

> "The English Government, on their part only expressed a wish that we should not call in question the sovereignty of the Sultan over the coast. They further admitted that there was no intention of opposing or running counter to our claims for colonisation in the interior opposite Zanzibar."

That was what happened. A large portion of the interior opposite Zanzibar was occupied during the early part of that year. Then came the question of what the territories of the Sultan of Zanzibar on the coast really were. There was considerable discussion upon this point, and it was resolved to appoint an International Commission, which should report what the Continental possessions of the Sultan of Zanzibar were. They went out, they examined, and they reported. On some things they were all agreed; on others they were disagreed; and the noble Earl Lord Rosebery was asked whether he would accept the decisions upon which they were all agreed. He declined to do that, but he said that he was very well disposed towards them. Lord Iddesleigh came into office in August of the same year, and in October of the same year he signed an Agreement practically confirming the unanimous

decision of those Commissioners. Of course, I am not now speaking in respect of the line of influence as between Germany and England; I am speaking of the demarcation of the territories of the Sultan of Zanzibar, and in respect to them I maintain, though I am not complaining of what was done, that we had no special responsibility. Now, my Lords, I have pointed out the advantages which I think will come from the closer bonds which, under the proposed arrangement, will bind the Sultan of Zanzibar and the Sultan of Witu to us and the coast that is dependent on them. But that is not the whole of the African question. It is not the part of it which first gave rise to these negotiations. I think our negotiations arose, in the first instance, from a number of disputed points, but really the matter which occupied the greatest attention, both in Germany and in England, was the decision as to which Power was to inherit the territory which lay inland—the territory South of Lake Tanganyika and the territory to the North of that Lake. I need not describe to you, because I have sufficiently described it in a Despatch which was laid on the Table, the decision to which we ultimately came. The German Government reposed themselves entirely on the doctrine that the interior of the country belonged to those who had the coast. We had, at all events, in regard to the country South of Lake Tanganyika, claims resting upon Livingstone's exploration, resting on the work of a large number of mission stations where our missionaries had worked devotedly for a great number of years, and resting also on the efforts and struggles of commercial companies who had done their best to develop trade and to keep the slave trade at bay in those regions. The result, as your Lordships know, is that Germany gave way to us on the South of Lake Tanganyika and we admitted her claims on the North of Lake Tanganyika. On the North of Lake Tanganyika we had nothing to advance in answer to the argument which she based on the possession of the coast. We had no settlements, no experience of missionaries, or of merchants, and, therefore, the argument advanced by Germany was not easy to be refuted, and we could not have resisted it without abandoning the Agreement altogether. I think there has been only one strong criticism adverse to that Agreement. It has arisen from a very curious idea, which has become very prevalent in this country, that there is some special advantage in having a stretch of territory extending all the way from Cape Town to the sources of the Nile. Now, this stretch of territory North of Lake Tanganyika could only have been a very narrow one. It could not have been obtained without absolutely breaking off the agreement altogether. Germany absolutely declined to be hemmed in by our territories to the sea, and insisted on communication at some point or other with the Congo State. But what possible advantage should we have derived from the possession of, or rather the claim of possession to, a narrow strip of territory stretching for a hundred miles from the North of Lake Tanganyika into the territory that is under British influence? It is said that it would have been the trade route. I cannot imagine any trade going in that direction. Trade seeks either for a navigable river or the sea; trade does not willingly go across a continent. If there was trade coming up from the Congo district, across to the north of Lake Tanganyika, it would make for the sea as rapidly as it could. But if you look beyond the merely commercial considerations to those which are of a strategic character, I can imagine no more uncomfortable position than the possession of a narrow strip of territory in the very heart of Africa three months' distance from the coast, which should be separating the forces of a powerful Empire like Germany and the Congo State, which is, at all events, in the hands of another European Power. Without any advantages of position we should have had all the dangers inseparable from its defence. We should have had merely those advantages of situation which may be supposed to belong to the function of a buffer. The only other objection to our arrangement in the interior of Africa is rather of a similar kind. Far away from the country of which I have been speaking, in the south-west, in the year 1885, I think it was, or 1884, Germany had taken possession of a vast territory called Namaqualand and Damaraland, of which the inner boundaries were only imperfectly determined. As far north, I think, as latitude

22°, they were determined, but north of that there was no fixed line. They claimed to go as far east as longitude 24°. In these matters we can only deal with latitude and longitude as indications of frontier. We have, in the course of the negotiations, induced them to accept longitude 21° instead of 24°, but it was accompanied by a condition to which a certain amount of exception has been taken, and that is, at the very north of this Damaraland territory they should have a strip of territory going along the Portuguese border, and giving them direct access to the River Zambesi. It was not an unnatural demand, but I never was able to understand what the objections were that have been raised on several sides. Again, we are told that it would interfere with the progress of trade; but it is the last route in the world by which trade can pass. It is at the head of the waters of all the affluents of the Chobe and the Zambesi, over an impracticable country, and leading only into the Portuguese possessions, into which, as far as I know, during the last 300 years there has been no very eager or impetuous torrent of trade. I think that the constant study of maps is apt to disturb men's reasoning powers. Certainly the enthusiasm which has been evoked for this desolate corner of Africa has surprised me more than anything else in this controversy. We have had a fierce conflict over the possession of a lake whose name I am afraid I cannot pronounce correctly—I think it is Lake Ngami—our only difficulty being that we do not know where it is. We cannot determine its position within 100 miles, certainly not within 60 miles, and there are great doubts whether it is a lake at all, or only a bed of rushes. I am very anxious that full scope should be given to the enterprise of men who have undertaken concessions in that country from a well-affected chief named Moremi; and I think that the whole country of Moremi has been retained within the British sphere. But when I hear the language that is used, the hopes that are entertained, and the extraordinary reasoning as to the future which is based upon them, I cannot help thinking of similar language and similar dreams entertained by our ancestors some 300 years ago connected with the well-known projects for reaching the land of El Dorado. I hope and believe that this is only language, and that the practical sense of our countrymen will not lead them to take for absolute gospel all that has been said on the subject of these countries for the last few months. I will not trouble your Lordships now with one or two other arrangements in other portions of that part of Africa or the delimitations of territory which have been made there. If I were to do so I believe my noble Friend opposite, Lord Aberdare, would be the only person who would understand me, and I think I may therefore venture to pass them by. But I will say that during these negotiations it occurred to me more than once that it might be wiser to break them off altogether and to allow the years to pass over us until the natural progress of emigration and civilisation and the struggle for existence should have determined in a far more effective way than can be done by Protocols and Treaties who are to be supreme, and in what part of that vast continent each nation is to rule. But, on reflection, we could not convince ourselves that that, though far the most comfortable course, would be our duty, because in the front of this advancing tide of colonisation there are numbers of men of both nationalities—men of energy and strong will, but probably not distinguished by any great restraint over their feelings—who would be urging, in every part where rivalry existed and the two Powers touched, the claims of each nation to supremacy in each particular bit of territory, pressing them upon the natives, getting from native chiefs Treaty after Treaty, each Treaty conflicting with the other, and trying to establish by means which must constantly degenerate into violence the supremacy of that nation for which they were passionately contending. In such circumstances, whatever the friendliness of the Government at home, some friction and collisions could not be averted. The Governments of Germany and England have been on the most friendly terms, and I think have been able to impart at least a considerable portion of their own friendliness and moderation to those who served under them, but it is impossible to impart it to those not under their control, though they share our nationality, and are keen for the object which we also desire. It is im-

possible to restrain them. It is impossible to prevent the danger of collisions, which might be murderous and bloody; and then when those collisions took place, the echo of them would be heard here, they would be recounted and magnified in newspapers in both countries, they would be pressed upon popular passion until even the Governments themselves might not be able to resist the contagion of the feeling evoked. The happy sympathy and agreement which exist between the two Governments, and which I trust may long exist, would naturally be exposed in no limited time to very serious risks if we had allowed to remain undecided the many causes of conflict and the many questions of territory and right which had arisen in various parts of the continent between the two countries, and especially in the island of Zanzibar, where we should have been brought to close quarters, and where many questions of difficulty would have arisen. I fear that if the existing state of things had gone on the harmony of the two countries might not be long maintained. My Lords, I commend this Agreement to your approval, not as pretending that we have gained or that Germany has gained any great advantage. I believe we have gained on both sides advantages, because each has obtained what suited its own purposes, and of which it could make the most valuable use. I think we have each obtained what is most advantageous to us, but I do not pretend that either country has gained any advantage over the other. What I believe is that we have come to a common agreement which will remove all danger of disunion and conflict between us, and which will cement, I hope for a long time, the good feeling of those who by sympathy, by interest, and by descent, ought always to be friends.

Moved, "That the Bill be now read 2ª."—(*The Marquess of Salisbury.*)

THE EARL OF ROSEBERY: My Lords, I am sure it is the wish of those who sit beside me on this Bench to acknowledge in the fullest and the freest manner the fair and conciliatory statement which the noble Marquess has laid before the House, and certainly it is not our wish to pick small holes in an Agreement of this vast character. If it were, as the noble Marquess said in his concluding remarks, a one-sided Agreement, in which one side had got all the benefit and the other was conscious only of loss, that Agreement would have no chance of being permanent, and, in my opinion, would be a greater misfortune than no Agreement at all. But perhaps it may be permitted when one looks back a few years to envy, for a moment, the powers of pungent sarcasm enjoyed by the noble Marquess, and to reflect without acrimony on what would have been said if Mr. Gladstone's Government had submitted an Agreement of this description to the House. I do not wish, however, to pursue that subject, and in all that I desire to say—and it will not be long—I only wish to put forward one or two points of not, I hope, unfriendly criticism of the Agreement, and not to carp at or cavil with an arrangement which must in any case, to whomsoever falls the advantage, conduce so largely to the present and future friendship of two great countries. Now, my Lords, I take it that the noble Marquess has put the case very clearly before us in stating that in exchange for the cession of Heligoland, which, of course, in itself is a strange and unusual incident, the main compensation we have received is in connection with Zanzibar. It is with those two points that I propose mainly to deal this evening. I do not wish in any detail to deal with this vast Agreement for mapping out and apportioning Africa, which, to many, forms the central point of interest. My feeling as regards this Agreement is this: that, as the noble Marquess said on a former occasion, we should have larger maps in order to appreciate their importance, and also that on this vast continent there is ample room for all the colonising nations of the world. But I would make two remarks with respect to these Agreements, and the first is, that whatever their merits may be, they are an entirely new feature in European diplomacy, or rather, they are a revival of that form of apportionment by which Pope Alexander VI. mapped out the new world between Spain and Portugal. Of course, such Agreements may be necessary; they may, as the noble Marquess said, be better than no Agreement at all; but, at the same time, they have their bad side too, and they cannot but produce in many quarters a certain feeling of jealousy and discontent

among those nations who are not party to them. I confess I believe it would be to the advantage of all parties if Agreements as to apportionments of this kind could be submitted to some formal Conference or Congress, so that they might receive the sanction of the communities of Europe at large. The second point I would call your Lordships' attention to in connection with them is this: that these apportionments ought not to be taken for more than they are. They bind only the two Powers that are parties to them. If I am right in so thinking, they are rather in the nature of influence than in the nature of possession; they confer rather protection than dominion; and, in that respect, I think some misleading language has been used with regard to this Agreement. I think it was the right rev. Prelate who spoke the other day of the policy which had added an Empire to an Empire, but I think even the noble Marquess would disclaim such language as that; and though the great explorer to whom we are indebted for our knowledge of so much of this territory has used language of that character, I presume it is not to be taken as either diplomatic or exact or political. But I will say this, I do not wish now to deal with the large African questions involved in this Agreement. I desire rather to deal with the two points which are practically before us—the cession of Heligoland and the counter balancing advantage which we are supposed to have received in Zanzibar. With regard to Heligoland, the noble Marquess gave us a most picturesque view of our acquisition of that island, but I think that in some respects his subsequent remarks tended a little to contradict themselves. He is against, as I understand him, consulting the inhabitants of a place which we hold for belligerent purposes; and, on the other hand, he tells us there are no belligerent advantages in Heligoland. I do not quite understand how he can reconcile those two statements. But I come to the point of what the strategic value of Heligoland really is. I do not think that we on this side have any theoretical objection to the cession of territory, *quâ* cession of territory, if the general advantage of the Empire results therefrom. But I think we have a right to demand that one or two conditions shall be fulfilled, and one of those conditions is that in an island which, after all, is so near our shores, we should be quite sure that we are not giving away any military or naval advantage which is essential to us. Well, I confess I never meddle with the opinions of naval or military experts. Those opinions of naval and military experts must rest upon their own foundation and be judged according to their intrinsic merit. But we have never seen the opinions of the naval and military experts on this occasion. I believe they have been confided by the First Lord of the Treasury in another place to an indiscreet follower, who only gave us an appetite for more by alluding to them on a postcard to one of his constituents. At any rate, I think we may refer back to a Despatch written by Admiral Russell in 1807 when he took the island. He said that—

> "With a small expense this island could be made a second Gibraltar; it is a key to the Rivers Ems, Elbe, Weser, Wesel, and Meuse."

I do not say this convinces me in the slightest degree, but I say that, in the absence of opinions of existing naval and military authorities, it is almost all we have to depend upon. But we have other opinions, not exactly naval and military, but traditional in their character, which may help us in this connection, and, as the noble Marquess has chosen to unite the questions of the belligerent importance of Heligoland and the wishes of the inhabitants, I must say I am not aware that any of us on this side of the House would wish that a *plebiscite* should be taken of the wishes of the Heligolanders in regard to this cession, whether they wished to be parted from this Empire or not. But we do hold as a condition of the proper consideration of a question like this that the opinions of the inhabitants of any part of the Empire which we think it necessary for Imperial motives to dissever ourselves from should not be so absolutely disregarded as they have been, so far as we know, in the present transaction. The noble Marquess the other day, when pressed upon this point, said that he had ascertained the wishes of the inhabitants. I do not pretend to have ascertained the wishes of the inhabitants myself, but we have as yet failed to find out exactly how the

noble Marquess arrived at the conclusion which he has confided to us. All the rumours which we have heard are adverse to the notion that the wish of these people is that they should be dissevered from this Empire, under which they have enjoyed such great benefits. I know it is said that they are only a population of 2,000, and what does the feeling matter of a population of 2,000 in a transaction of this kind? I want to know what is the test of population which you are to apply to the patriotism of the various peoples of this Empire. If you say that 2,000 is a limit which is not to be considered, you have two of the Channel Islands, one of which has a smaller population than 2,000, and the other hardly reaches a quarter of that population. But I go a little further than that, and I say, whether you have 2,000 souls or one soul, you have some right to be considered in the transfer of your person and the territory in which you live from the flag under which you were born. I venture to say that the noble Marquess himself, great as is his power and his abilities, is only one person and one soul, and I do not think that he would very much care to be transferred against his will with the territory in which he lives to the dominion of a foreign Power. But I do not wish to dwell at all upon or to bandy words with the noble Marquess as to what he thinks the wishes of the Heligolanders may be in this matter. I think we have information of a character which the noble Marquess himself will admit to be authentic with regard both to the strategic value of Heligoland and the wishes of the Heligolanders. In a speech which was delivered in 1885 a distinguished Member of Her Majesty's Government said—

"He had listened to the speech of the hon. and learned Member (Mr. Gorst) with some surprise"

—the Government was apparently rather divided upon the question at that time.

*THE MARQUESS OF SALISBURY: We were then in opposition.

THE EARL OF ROSEBERY: Quite so; but evidently the present Members of the Government, unless they have since very much changed their opinions, were very much at issue on that point—

"For there was a most extraordinary omission in that speech. The hon. and learned Member had spoken of the ardent desire of the German people to have possession of Heligoland, but he had quite forgotten to refer to the feelings of the Heligolanders upon this point. He was satisfied that there was no desire on the part of the people of Heligoland for the proposed annexation. They had prospered and thrived under English rule, and he was certain they did not desire to come under German rule or German Law, including conscription for military service. He was not prepared to sacrifice these people for the purpose of pleasing and conciliating the German people, however desirable it might be to do so. The hon. and learned Member had stated that from a strategical point of view Heligoland was no use to this country. He was disposed to contradict that opinion even upon the hon. and learned Member's own statement as to the position of Heligoland, but he had the honour of having served on a Royal Commission on Colonial Defences and the Protection of Trade, and although their proceedings and the Report were strictly confidential, yet it would be no breach of that confidence to say that, at all events, some persons of experience entertained contrary views to that of the hon. and learned Member."

I am not prepared to go so far as that speech, but that is the speech of the present Secretary for the Colonies, under whose amiable and genial rule Heligoland is at present existing, and I hope that at some later moment of the Debate he will give us some explanation of what it is that has caused him to change his views, both as to the strategical importance of Heligoland, and as to the wishes of the Heligolanders. On the same occasion we have another Member of the present Government, Sir M. Hicks Beach, to the fore, saying—

"He was much astonished when he saw the notice of Motion of his hon. and learned Friend, which appeared rather as a trap for Her Majesty's Government,"

—if Sir Michael Hicks Beach could have foreseen the present condition of things, he would have known what Government it was a trap for—

"And he congratulated them that they had escaped the snare. He was very glad that the proposal had practically received no support in the House. As to the point that the island was of no use to us, it had been shown by the noble Lord and others, who had taken part in the Debate, that Heligoland was of great importance to our fisheries in the North Sea. As to the feelings of the people of Heligoland, when he was at the Colonial Office, so far from there being any desire on their part to sever themselves from the British Empire, they were exceedingly well pleased to be connected with England rather than with Germany."

My Lords, I do not think I can add anything to the weight of those opinions, or

to the pungency and force with which they are expressed. They are all, I venture to say, practical upon the point whether the island of Heligoland is of strategical importance, and as to whether the wishes of the Heligolanders should be in any degree consulted on the subject of their transfer. There is another condition which I think, in the opinion of the people of this country, would attach to any such cession of territory as has been made in this instance, and that is, that there should be no breach of faith on our part. Now, I cannot say whether there has been any breach of faith here or not; but it is asserted that by the 10th Article of the Capitulation of 1807 it was provided that the natives of Heligoland should be permanently exempted from any naval service in the future. Whether that pledge has been given, and whether, if given, it has been safeguarded by the noble Marquess in the present Agreement, is a point upon which we shall no doubt receive information farther on. As to that Capitulation, I may say that my interest in it is not newly sprung from the incidents of the cession. I moved for a copy of that Capitulation in this House in 1876, and I remember that my noble and lamented Friend Lord Carnarvon—whom I cannot mention on a subject like this without expressing what I am sure has been the feeling of the whole House during the past fortnight as to the loss this House has sustained through his untimely death—refused to give me that Capitulation, because he said it contained much perilous matter. In consequence, I have never been able to trace or see that document. I do not know whether the noble Marquess will be more liberal now that Heligoland is about to pass away from us. I suppose the least condition that any Parliament would be disposed to attach to a cession of this kind is that we should receive adequate and ample compensation for a sacrifice not so much of territory as of *amour propre*. Well, the equivalent for the cession of Heligoland is to be found, we know, in Zanzibar. The noble Marquess has devoted some attention to what I have said on the subject of Zanzibar. I insinuated something and I cheered something else the noble Marquess said; and from that the noble Marquess drew something of a most portentous kind. Let me see what I really did say. I said that "the Sultanate of Zanzibar, which the noble Marquess is now acquiring by the cession of Heligoland is not by any means the Sultanate of Zanzibar which we left behind us when we left office in 1886." I must complain a little, I confess, of the language of the noble Marquess on this subject. We were left until the day these Papers appeared with nothing but the Despatch of the noble Marquess to guide us with regard to the Agreement into which he had entered. In that Despatch to Sir E. Malet of the 14th of June, 1890, the noble Marquess says—

> "England will further assume, with the consent of the Sultan of Zanzibar (which has been given), the exclusive protectorate over that Sultanate, including the islands of Zanzibar and Pemba."

That I felt to be good news. I did not know much about the rest of the Agreement, but I ventured, in order to make assurance perfectly sure, to place a question on the Paper asking exactly what was meant by the "Sultanate of Zanzibar," but being on that afternoon occupied with the more august duties of the London County Council, I had to ask my noble Friend Lord Kimberley to put that question for me. The question was this:—

> "The exact meaning of the expression 'Sultanate of Zanzibar' used in Lord Salisbury's Despatch of June 14th, 1890?"

The noble Marquess answered that

> "The word 'Sultanate' bears the same relation to Sultan as the word 'monarchy' does to monarch. The protectorate of Zanzibar means the protectorate over the territory which is under the government of the Sultan of Zanzibar or under his suzerainty."

Well, that is a perfectly clear statement. That means Zanzibar and Pemba and some 500 or 600 miles of coast, though only of a depth, it is true, of 10 miles on the mainland, which are all under the suzerainty of the Sultan of Zanzibar. The noble Marquess made this more clear in a subsequent answer, in which he said that this sovereignty of the Sultan of Zanzibar over these hundreds of miles of mainland was perfectly clear and undisputed, but, by a somewhat unfortunate metaphor, as I think, he added that for a part of it the Sultan of Zanzibar had in the German Empire a tenant who understood his relations to the Sultan somewhat more in the way that tenancies are

understood in the Sister Island than as they are regarded in this country. Then, my Lords, we had arrived at this point. From the Despatch we knew that we were to take over the protectorate of the whole Sultanate of Zanzibar, and also from the noble Marquess we had got a definition that the word "Sultanate" implied everything over which the Sultan of Zanzibar had sovereignty or suzerainty. We had, further, this concession from him—that the whole of the coast line opposite to Zanzibar was held under that Sultan's suzerainty. Surely the conclusion was irresistible—we came naturally to the conclusion that all that line of coast which we left under the sovereignty of the Sultan of Zanzibar when we left Office in 1886 was to be transferred to the protectorate of the British Crown by this Agreement. My Lords, what is the case? We gain information only by instalments, and though we thought the information satisfactory as far as it went, our anxiety was rudely put an end to by the publication of the Treaty. Not merely does the Treaty not give us anything of the kind; not merely does the Treaty in a most emphatic way contradict the statement of the noble Marquess in his covering Despatch, but it actually makes out that so far from assuming this protectorate, we are to assist in every way the transfer of the whole of the territory of the Sultan of Zanzibar on the mainland opposite the island to Germany. What are the words of the Treaty? Article 11 of the Treaty says—

"Great Britain engages to use all her influence to facilitate the friendly arrangements by which the Sultan of Zanzibar shall cede absolutely to Germany his possessions on the mainland comprised in existing concessions to the German East Africa Company and their dependencies, as well as the Island of Mafia."

No protectorate; but he "shall cede absolutely to Germany" his possessions on the mainland. I venture to say that, under those circumstances, the expression used by the noble Marquess in his Despatch was not one that was accurate, or that was calculated to convey a real impression of Article 11.

*THE MARQUESS OF SALISBURY: Have you a copy of the Despatch?

THE EARL OF ROSEBERY: Yes, I have marked the passage. Therefore, I think under these circumstances it is not an illegitimate conclusion to arrive at that the sultanate of Zanzibar has suffered material detriment since we left Office in 1886. But the noble Marquess resents that conclusion. He says—

"I do not think any diminution of the prestige or the power of the Sultan of Zanzibar can be laid to our charge."

The diminution of the Sultanate of Zanzibar, as far as it is diminished on the coast at all, is, I am afraid, rightly or wrongly, entirely the work of the noble Marquess, and, therefore, I cannot understand his using the language of injured innocence with regard to that transaction. But I am not disposed to rest this matter entirely on figures or Treaties alone. We have had the advantage of the indiscretion of one of the most remarkable Members of the Government, though he has since ceased to be a Member of the Government—the noble Lord who was leader of the House of Commons at the time this course of policy was inaugurated, and who has given us a full, free, and candid, but I think a somewhat indiscreet, revelation of what has taken place in a speech delivered at Birmingham in July, 1889. Lord Randolph Churchill said—

"Now the price we have paid all along to the German Chancellor since we occupied Egypt for the support of the German Government in our policy there has been one concession after another to the colonial policy of Germany. Now the colonial policy of Germany is essentially an aggressive policy. I will give you one instance of the price which we paid for the support of the German Government in Egypt. It happened at a time when I was in the Government, and in saying what I do I do not wish to blame the Government; or if the Government is to be blamed, I take as much blame on myself as being a part of it as may be necessary or proper. But this is what took place. The support of the German Government in Egypt was necessary to our policy. The German Government had designs on Zanzibar. Our position there at that very moment was one of immense value and strength."

That was when we left Office in 1886.

"The whole of the tribes of that part of Africa were under our influence, and were looking up to us, and were determined to be guided by us. We held at Zanzibar the key to all the commercial development of the great African territory. Well, in order to gain Prince Bismarck's support for our Egyptian policy we had to give up our position of predominance at Zanzibar. We practically ruined almost, but certainly most seriously damaged ourselves with that part of Africa, the commerce of which, at that time, was valued at

upwards of £2,000,000 a year. And we know perfectly well that the state of that part of Africa at the present moment, owing to German designs and owing to German enterprise, is one of utter confusion, utter insecurity, and one where commercial relations cannot possibly tranquilly prevail. Now that is one price we had to pay for the Egyptian policy."

He goes on to make some remarks with regard to the Government policy as to Samoa which I will not read at this moment, but which are not devoid of interest to those who have followed the course of events in that island. I think I have proved, out of the mouth of the noble Marquess himself, from his own Treaty, and out of the mouth of his own Colleague the Leader of the House of Commons at the time of the Treaty concluded by Lord Iddesleigh in October, 1886, that there has been a considerable diminution in the prestige and influence of the Sultan of Zanzibar under the auspices of the present Government. And I think I will go a little further than that. I will lay down this position—that if, by the cession of the island of Heligoland, we are as the noble Marquess has told us, receiving as our equivalent the islands of Zanzibar and Pemba, we are only by this cession of British territory—which is, with Malta and Gibraltar, our only remaining European asset from the great war with Napoleon and France, which cost us about a thousand millions and innumerable lives—we are only re-acquiring a small portion of what the Government of Mr. Gladstone left behind them under the full control of Great Britain. I do not think that this is of itself an overwhelming position, but it certainly puts the concession in a grave light. But I will return to the phrase of the noble Marquess, to which I attach so much importance, and take this Agreement from a different point of view. He says that—

"England will further assume, with the consent of the Sultan of Zanzibar (which has been given), the exclusive protectorate of that Sultanate, including the islands of Zanzibar and Pemba, and that this assumption will be made with the full concurrence of Germany."

What I have to ask about that is—When did France disappear from the position of a Guaranteeing Power with regard to Zanzibar? We are told that Germany has given her consent and that the Sultan of Zanzibar has been pleased to give his consent, but neither the Sultan nor Germany are the guaranteeing Powers at Zanzibar. The two Guaranteeing Powers are England and France; and the solemn pledges that we made by the Mutual Declaration which was signed at Paris, on March 10th, 1882, to respect the independence of the Sultans of Zanzibar and Muscat appear, as far as we can gather from the Papers laid on the Table, and from the expository speech of the noble Marquess, in which the name of France was not once mentioned, to be treated as absolutely non-existent. My Lords, I consider this to be rather a grave matter. I do not know whether the noble Marquess is negotiating with France or not for her consent. I only know what I read in the papers, and it is no part of my duty to believe implicitly all that I read. But I think it would have been more graceful and more conciliatory to the dignity of a great Power, with which we have always been in the most friendly relations, if, in a transaction of this kind, transferring the protectorate of a territory with regard to which that Power and ourselves are the only Guaranteeing Powers, some mention had been made of that other Power in this transaction. So entirely was that position of France recognised in regard to Zanzibar that the Commission of Delimitation to which the noble Marquess has referred, which was set on foot in order to ascertain the real dominions of Zanzibar, was really set on foot to enable Germany to become a third Guaranteeing Power, there being then only two. Therefore, my Lords, I must add this to my description of the exchange which has been effected of Heligoland for this protectorate of Zanzibar, that we are not only re-purchasing a portion of what we had in 1886, but that we are only re-purchasing it subject to the consent of another Power, which has not yet been given, as far as I know. But I am not sure that I have even yet done with the qualifications which I must attach to the triumphant announcement of the noble Marquess. By Article 11 he is going to facilitate the complete arrangements by which Germany is to get possession of the territory on the mainland. Germany will receive the acquisitions referred to in Article 11 of the Treaty in full and fair freehold, so to speak. Our protectorate, if I am not misinformed, will be by no means of this fair freehold description that attaches to

the position of Germany. Our protectorate will be, more or less, subject to all the commercial Treaties entered into by the Sultan of Zanzibar, and will be subject also to that extra-territorial jurisdiction of Foreign Powers which has caused us so much trouble in Egypt and elsewhere. We must, I am afraid, therefore, attach this further qualification to the description of the noble Marquess—that we are ceding Heligoland in order to obtain at Zanzibar partially now what we had altogether in 1886, subject to the consent of France, and subject to all the restrictions which have been placed by Foroign Powers, at different times, on the full and free action of that Sultan. I shall not ask your Lordships to consider this Agreement any further this evening. I have thought it right to lay before you the view I hold, that it is by no means the triumphant arrangement which it has been claimed to be by the organs of the opposite Party. There may be counterbalancing advantages for us in the "Empire that will be added to an Empire," in the 650,000 square miles which Mr. Stanley says are now open to the Anglo-Saxon race. Your Lordships understand that I am not now dealing with vast intangible regions; I am dealing now with very tangible interests. We have handed over Heligoland and its people, like chattels, to a Foreign Power, and in exchange we have received this extremely qualified and diminished concession, which I have described in detail. It may be thought that this is an Agreement to which we in this House and in the other House should offer open and persistent opposition. But I confess, for my part, I shall offer no such opposition. It would be futile, if I wished to do so, in the present condition of our Party in this House; but if there were behind me, instead of 30, 300 Peers, my attitude in this respect would be exactly the same. In the first place I believe that the Agreement might have been considerably modified for the better, but having been made, and having been accepted by Germany, it would plunge us into the worst possible relations with Germany if the arrangement were not now consented to, or if it were now to be cancelled or withdrawn. I set far more value and importance on our good understanding with a great Power than I do on points of detail, however important, that may be found in an Agreement of this kind. But I confess that, while I am one of those who have always most stoutly and persistently urged that this country should establish the closest and best relations with the united Empire of Germany, and I did so long before I was at the Foreign Office, I do not see that that precludes our paying due and friendly respect to that other great Power with which we have always striven to be in the most friendly relations, and which, in my view, should have been consulted on this occasion. That is one other good reason for having nothing further to say in opposition to this Treaty. But there is a larger reason still to which I attach personally more importance than that; and it is this—I, for one, will never be party to dragging the foreign policy of this country into the arena of Party warfare. I attach infinitely more importance to our preserving a dignified and united attitude abroad, than to any petty advantage we can gain at home. I, for one, will never raise my voice by the utterance of a syllable, I will never give a single vote, unless under a major force than any that exists in this instance, which might diminish by one jot or tittle the supreme influence and position of Great Britain in the world.

*THE SECRETARY OF STATE FOR THE COLONIES (Lord KNUTSFORD): My Lords, I should have thought it unnecessary, after the eloquent speech of the noble Earl who has just sat down, to interfere with reference to what, after all, is an almost personal matter; but the noble Earl has directly challenged me to explain away a speech I made in March, 1885, in the House of Commons. In fact, he has offered me the tempting proposal to eat my own words; but I entirely decline the leek that is offered to me. Your Lordships will see that that speech was made on a Motion for an Address to Her Majesty, praying Her Majesty to be good enough to induce Germany to take over Heligoland. There was no question then raised as to whether there should be any consideration for the cession of Heligoland, or whether it was to form part of a great arrangement for the settlement of difficulties with a foreign nation, to which the noble Earl and the noble Marquess have referred, and which might lead to grave complications. It

was merely a question whether we should cede Heligoland to Germany, in order to please Germany, and to get rid, as far as we were concerned, of a certain amount of useless expenditure. In these circumstances I was of opinion that it was a case in which the Heligolanders might well be consulted. If the only object of giving up Heligoland was to please Germany, or to relieve ourselves of a certain expenditure, I thought, and venture still to think, it would only be reasonable for us to consult the wishes of the Heligolanders. But the circumstances of the present case are entirely different. I am also free to admit that I do not believe there is any strong desire on the part of the Heligolanders to make any change. They have thriven under our rule, and are content to remain under it. As I said on a former occasion, the main reason for my thinking that the Heligolanders would be unwilling to place themselves under Germany was that they objected to naval and military conscription. But, again, the conditions of things is entirely altered. Germany has now agreed to conditions by which any person living at the date of the Agreement will be free from naval and military conscription. We have also secured to the Heligolanders that there shall be no increase of their dues for 20 years. We have secured to them the observance of their customs and laws, as far as possible; and, looking at these conditions, I believe it will be found that the people will readily come under the German Sovereign whose subjects have already for many years been their best customers. One observation only upon another part of that speech. The noble Earl has pointed out that I, as a Member of a Royal Commission, had referred to persons of experience having expressed opinions different from those of Sir J. Gorst. I would observe in the first place that Sir J. Gorst said that Heligoland was of no value whatever, and could not be so in any circumstances. I ventured to differ from him; I thought that, under certain circumstances, it might be of some value; but, speaking on the spur of the moment, and without reference to books, I exaggerated, unintentionally, the evidence that had been given before the Royal Commission. I find, on closer examination, that there had not been several persons of experience who believed in the strategical importance of the place, but only one, and he did not come up to be cross-examined before the Commission, but his opinion was only stated in a letter. My Lords, I really feel that I ought to apologise to you for having made these remarks, but I was challenged by the noble Earl to defend what I said. I content myself by pointing out that those observations were made in circumstances altogether different from those which are now presented to your Lordships.

EARL GRANVILLE: I observed when my noble Friend Earl Rosebery sat down, after his extremely able, and, at the same time, moderate speech, that the Prime Minister signed to my noble Friend the Secretary for the Colonies to get up; and he seemed to be a little reluctant to do so.

*LORD KNUTSFORD: I am afraid that is not exactly the case. I asked the noble Marquess whether it was necessary that I should offer a few observations.

EARL GRANVILLE: If that is the case, I can hardly believe that the noble Marquess thinks that the only answer it is necessary to offer on the part of the Government to the criticisms of my noble Friend is merely the explanation which has been given of a speech made by the noble Lord the Secretary for the Colonies. We have not heard one word of defence of the manner in which the Treaty has been made. My noble Friend quoted what Sir John Gorst said, what Lord Knutsford said, and what the present President of the Board of Trade said in 1885. Those are not quite the latest Parliamentary utterances on this subject. Lord Beaconsfield is quoted to have said that surprise was the great element of success in politics. This certainly has been a surprise to us, not so much as to the cession of Heligoland, as that it should be Her Majesty's present Government who have taken this course. How is it to be explained that, not five years ago, but some five weeks ago, in the House of Commons, the Representative of the Colonial Office made a strong speech exactly in consonance with that of Lord Knutsford in 1885? I have always pointed out the difficulty of the Foreign Secretary's attending to all the duties of Prime Minister; but I should suppose that when a question concerning the

Foreign Office is to be asked or discussed in the House of Commons those who have to answer for the Foreign Office would communicate in some degree with the Prime Minister and the Foreign Office as to the answer to be given. Can any greater surprise be shown than that which has followed the argument of the Representative of the Government, forcing, as it were, a large majority of the House of Commons to vote against the principle which has so immediately been abandoned, and is now embodied in this Bill? No answer has been given to the comments made upon the point referred to by the noble Marquess the other day, when he said he had the means of knowing that the Heligolanders were not dissatisfied with the change. All the general information given to us is exactly the reverse. The noble Marquess did not adduce any facts, but said he had reason to believe that the Heligolanders were satisfied, and that, as reasonable people, they ought to be. There is one ground on which it strikes me they might object to their transfer, and that is that people who have been once English subjects do not like to cease to be English subjects. I think that is a reason which might have weighed with the Government. But as for supposing that the Heligolanders are satisfied, because, in the opinion of the noble Marquess, they ought to be satisfied, that appears to be an illusory way of arguing this question. No answer has been given with regard to the Capitulation. I observed that the noble Lord opposite (Lord Knutsford) when my noble Friend Lord Rosebery read out the words that are supposed to be in that Capitulation cheered, and I imagine that cheer signified that they were privileged not to be obliged to serve on board ship. It is said that these Heligolanders are protected, because the noble Lord opposite said that those who are now living are not to be subjected to the conscription. But what is to happen to the children of those living people? Do the parents consent to their children being subjected to conscription, from which they are free now? Reasons of State may justify this transaction, but one would have thought Her Majesty's Government would have felt the strongest possible stimulus to protect the Heligolanders in the enjoyment of all the privileges that had been secured to them. What does the Agreement come to? With regard to English fishermen, their protection is unlimited to all eternity; but with regard to the Heligolanders, the protection is only for a few years. I really think these are points which have a very great bearing upon the question, and call for a reply from the Government. However much we may rejoice, and I rejoice as much as my noble Friend does, that an arrangement has been made on colonial matters with Germany, I cannot but think that this Agreement has been come to in a sudden and impulsive manner. I have never felt any jealousy of German colonisation; I believe they will colonise, and the noble Marquess has been good enough to say he thought I was right in conceding a right to Germany to colonise in Africa, and not claiming a monopoly of colonisation on our part. I really believe that the noble Marquess cannot have thought of the Capitulation until it was brought forward on the present occasion. Nothing has been said in reply to what my noble Friend said about our ignoring the joint guarantee of France. The noble Marquess gave us an explanation, and, so far as the mere facts go, it was, perhaps, an explanation; but the state of things was this: That when Mr. Gladstone's Government left office our influence in Zanzibar was supreme, partly owing to our predominant maritime and commercial position, and partly owing to the character of Sir John Kirk, who was removed by the noble Marquess; and our position was supreme in a way of which neither France nor any other Power complained. But that position has been given up. We are now in this position, and I should like really to know whether we are to assent to the cession of Heligoland without being aware whether we can carry out the Treaty or not as to the Protectorate of Zanzibar which we have arranged with Germany. I think that it is a very important thing, if we give up the island, or are in any way deprived of it, to know whether the Government can say that we are in a position at this moment to carry out the guarantee which England and France have agreed upon. I think, considering how desirable it is that this case should stand as well as possible, it is a pity that

the Secretary of State for the Colonies did not think it worth while to answer any of the criticisms of my noble Friend, but left the case exactly as it stoood after his speech, without any reassuring reply from Her Majesty's Government.

*THE MARQUESS OF SALISBURY: My Lords, I have no reason to be dissatisfied with the reception which the Agreement has received from the noble Lords opposite, though their criticisms have been somewhat minute. The point to which the noble Lord directed attention most was the question of the assent of the Heligolanders, and the security that we were in possession of that assent. I thought that I had explained the other night that, in my judgment, there is no way of being absolutely sure of the assent of the Heligolanders, except by the mode of taking a *plébiscite*, but taking a *plébiscite* seems to me to be a plan not only singularly alien from all our practice, but also, what is more important, a precedent full of risk and difficulty with regard to other portions of the Empire. Without a *plébiscite* it is impossible to know precisely what the people may think—you may form a guess at it, but pou cannot know it. I must say that I have no doubt myself that the population, as a whole, are well disposed towards this change, but the sources from which I have received that impression are necessarily confidential. I should quite agree with the noble Lord that he has no right to be satisfied with that assurance on my part if the assent of the population is an essential part of the agreement. I have tried to establish that a very strong line of distinction is to be drawn between those countries which were originally occupied for purely belligerent purposes and those countries which were occupied for settlement. In the latter case the veto of the population ought to have an enormous weight, but in the other case they must be subordinated to the general considerations affecting the welfare of the Empire where we are dealing with a possession which was originally acquired on purely belligerent grounds. After all, when we talk of the necessity for obtaining the sanction of the population to becoming German subjects, I would remind the noble Lord that they became British subjects entirely without their consent, by the application of pure force, and that, too, within the lifetime of many who are now alive; and, therefore, I think that the doctrine which the noble Earl asserts is exceedingly wide of any doctrine which has been hitherto laid down, and if it was accepted by authority in the first instance would, in regard to matters irrespective of cession, produce signal inconvenience in the administration of the Empire.

EARL GRANVILLE: The noble Marquess will remember that on the last occasion he did not take ground quite so high as this. He told us that by means of confidential communications he had ascertained that the whole of the Heligolanders were satisfied, but he was not good enough to answer my question as to how that took place, whether those confidential communications were with the islanders or the Executive Council of the island. He did not tell us whom he had consulted, or whether it was the Governor. If so, I should be glad to know whether he consulted the Governor after the Agreement or before it?

*THE MARQUESS OF SALISBURY: I have simply to say in defence of my conduct on a former occasion that I tried very directly to answer the questions, and, therefore, I did not go into the whole case for the Second Reading of the Bill. I maintain that the duty of the Government in this case is to consider, in the first instance, the Imperial interests committed to their charge; and, in the second instance, to do all they possibly can for the welfare of the population of the ceded territory. I think that we have fulfilled that demand; and, in the third place, we have to consider the circumstances which would determine the views of the population and the motives by which they are likely to be influenced. Absolutely to ascertain what populations think, I maintain, to be impossible except by a *plébiscite*, and to imagine that you can obtain it by simply consulting the Executive Council I think would be a very illusory proceeding. The impressions which I hold have certainly not been contradicted by any trustworthy evidence. The manner in which I have arrived at the impressions I have stated, and which have not been contradicted by any trustworthy evidence, I regret to say I am compelled to treat as confidential. I do not know that there is

any other point which my noble Friend has pressed upon me for consideration except only the allusions to France. I will briefly say that we have been in communication, and are still in communication, with France, and therefore it is impossible for me to discuss that question. I can only say that I do not put upon the document the interpretation which the noble Earl puts upon it. Then the only other matter is this. The noble Earl apparently maintains such a vigorous look out as to the communications which pass between my noble Friends and myself that it is impossible to conceal that a whisper did pass between me and my noble Friend. I am glad that the noble Earl has so much detachment of mind and freedom from care that he is able to give so much study to our personal communications.

THE EARL OF ROSEBERY: I thought the noble Marquess seemed to suggest a reply from the noble Lord.

*LORD KNUTSFORD: As I was directly challenged I expressed my desire to answer.

*THE MARQUESS OF SALISBURY: With respect to the Capitulation in question I do not read it as conferring upon the Heligolanders a permanent exemption from serving on board Her Majesty's ships, and I do not quite understand by what argument it is proved that if, when their allegiance was forcibly changed, they were told that they should not be forced to serve upon the King's ships, that therefore there is a promise for all time even after they have returned to the same allegiance as the neighbouring province.

EARL GRANVILLE: Not "returned."

*THE MARQUESS OF SALISBURY: They return to the allegiance of the ruler of Schleswig, which they were under in 1807, though several things have happened to Schleswig in the meantime. I can only say I do not read the Capitulation in that sense, and I do not think any person could do so. I do not in the least believe that any Heligolander will think that faith has not been kept with him in respect to that subject.

THE EARL OF ROSEBERY: My Lords, I think I said by accident that the Capitulation had not been printed. It was some time ago, and I founded my recollection upon a speech of Lord Carnarvon, who refused it to me. I have since found out that it was printed, and the words of the Article are worth remembering—

"As it is one of the privileges of the inhabitants of this island"

—pointing to a privilege that they had enjoyed in the past, or in perpetuity—

"Not to be obliged to serve on board a King's ship contrary to their inclination, that privilege is to be continued to them.—Agreed."

THE EARL OF KIMBERLEY: My Lords, I only desire to make one remark, not to prolong the Debate, but I hope the noble Marquess will take one matter into consideration. He told us that he could not state what the communications between the British and the French Governments were. That I quite understand. It is, of course, impossible to give Parliament information as to negotiations which are now going on; but what I wish to impress upon the noble Marquess and the House is that we shall be placed in an exceedingly strange position if we ratify the Treaty with Germany for the cession of Heligoland to her without having any assurance whatever that we can obtain the Protectorate of Zanzibar, because we shall not know whether France is willing, in face of the guarantee of the independence of Zanzibar which was entered into in 1862, to allow us to exercise that Protectorate which Germany is willing to give us. I do not in the least desire to embarrass the noble Marquess in his negotiations with France, but only to point out that the position is one of serious embarrassment.

On Question, agreed to.

Bill read 2ª accordingly, and committed to a Committee of the Whole House to-morrow.

EDUCATION CODE (1890) BILL.
(No. 157.)

House in Committee (according to order); Bill reported without Amendment; and to be read 3ª to-morrow.

ORCHARDS RATING EXEMPTION BILL.
(No. 149.)

SUPERANNUATION (WAR DEPARTMENT) BILL.—(No. 118.)

Read 3ª (according to order), and passed.

INLAND REVENUE REGULATION BILL.—(No. 166.)

Read 2ª (according to order), and committed to a Committee of the Whole House to-morrow.

House adjourned at Seven o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 10th July, 1890.

QUESTIONS.

THE BRENNAN TORPEDO.

MR. SHAW LEFEVRE (Bradford, Central): I beg to ask the Secretary of State for War whether he can state what has been the total expenditure hitherto incurred in the purchase and manufacture of the Brennan torpedo, including expenses of the staff employed in it; what amount still remains due to Mr. Brennan for his invention; and how many of such torpedoes are now fit for service?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): To the end of the last financial year about £126,000 had been paid in all for the purchase and manufacture of the Brennan torpedo; and the sum of £32,000 remains to be paid as part of the reward granted. A considerable number of Brennan torpedoes are ready for use, but the right hon. Gentleman will scarcely expect me to state how many.

THE ROYAL OBSERVATORY, GREENWICH.

SIR HENRY ROSCOE (Manchester, S.): I beg to ask the Chancellor of the Exchequer what addition it is proposed to make to the staff of the Royal Observatory of Greenwich, in order to assist the Astronomer Royal and Chief Assistant in the general superintendence of the work of the Observatory, which has so greatly increased of late years in every branch; and whether this addition is on the lines recommended by the Board of Visitors of the Observatory, who are the scientific advisers of the Government in the matter?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): One first and one second class assistant were added at the end of last year to the staff of the Royal Observatory, that is to say, the same number of additional officers as the Board of Visitors recommended, the difference being that the Board of Visitors suggested a deputy chief assistant and a first-class assistant instead of two assistants.

SIR H. ROSCOE: Is the right hon. Gentleman aware that the Board have entered a strong protest against the present arrangement, and, in view of that expression of opinion, is it proposed to re-consider the matter?

MR. GOSCHEN: I have not seen the protest to which the hon. Member refers, but the matter was considered in November, and the conclusion arrived at was that the staff was sufficient.

LIGHTHOUSE AT DIMLINGTON.

MR. KING (Hull, Central): I beg to ask the President of the Board of Trade whether he can explain the reason of the delay in the erection of a new lighthouse at Dimlington, near Withernsea, for which land had been already purchased; and whether the Government has been made aware of the continued danger that is being caused to passing steamers by the delay?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The commencement of this work has been postponed in consequence of more urgent claims upon other parts of the coast. But I hope that it will be possible to make provision for it in next year's estimate.

THE WEST HIGHLAND COMMISSION.

MR. ANGUS SUTHERLAND (Sutherland): I beg to ask the Lord Advocate whether the West Highland Commission has closed its evidence, or at what stage its proceedings now are; whether the Commission has visited the localities on the north coast of Sutherland, promised by the Secretary for Scotland in his letter of 13th March last, and taken evidence regarding the claims of those localities; whether, in view of the recent deplorable loss of life in the said locali-

ties, chiefly through the want of harbour accommodation, the Secretary for Scotland will use his influence to induce the Commission to visit the localities referred to, and report upon their claims; and what steps he proposes to take to redeem the promise in the letter above referred to?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): The Commissioners are now engaged in preparing a Report, and it is nearly ready. They visited a part of the north coast of Sutherlandshire, that locality being included in the scope of the inquiry, as stated in the letter referred to by the hon. Member. The stormy weather prevented their visiting other parts of that coast. The Secretary for Scotland is necessarily unable, pending the consideration of the Report, to say anything as to the future movement of the Commission.

THE CUSTOMS.

MR. KIMBER (Wandsworth): I beg to ask the Chancellor of the Exchequer whether a re-organisation of the Statistical Office of Her Majesty's Customs, on the basis laid down in paragraph 46 of the Treasury Minute of 10th August, 1889, would effect a saving to the country of about £1,500 a year, after providing for superannuations on compensation terms; whether the Board of Customs have recommended the economical re-organisation of the Office on that basis, and especially the granting of compensation terms; and is it the fact that there are now four vacancies in the above Department; if so, how long have they existed, and why have they not been filled up?

MR. GOSCHEN: No calculation has been made of the cost of re-organising the Statistical Office of Her Majesty's Customs on the basis of the Treasury Minute of August, 1889, for the reason that no re-organisation on that basis has been recommended. The Board of Customs has, however, accepted the Report of a Departmental Committee on the subject, which is now under consideration, but the Board have not recommended the grant of compensation terms. As regards such terms, I must refer the hon. Member to my recent statements that the Government is precluded from granting compensation terms by the decision of the House of Commons and the recommendations of the Royal Commission on Civil Establishments. It would, however, be possible, with a view to facilitate reductions in the higher establishment generally, to consider applications from heads of Departments to permit retirement on ordinary terms. I am informed, with reference to the last part of the hon. Member's question, that two or three gentlemen have recently retired from the higher establishment of the Statistical Office, but the question of filling up the vacancies must be postponed until the scheme for the total re-organisation of the Office has been settled.

BALLAST FOR SHIPS.

MR. THOMAS SUTHERLAND (Greenock): I beg to ask the President of the Board of Trade if he will state under what authority a monopoly exists for the supply of ballast to ships in the port of Hull, and for whose benefit the proceeds of such monopoly are applied; whether he is aware that shipowners are compelled to make prepayment for ballast thus supplied, but are unable to obtain any redress from the Local Authorities when such ballast is short shipped, as is alleged frequently to be the case; and if he can suggest means by which redress may be obtained in such cases of overcharge?

*SIR M. HICKS BEACH: The supply of ballast to ships in the port of Hull is regulated by a Local Act of Parliament, passed in 1832. Under that Statute, ½d. per ton of the current price of ballast (which is now 1s. 8d. per ton) is retained by the Pilotage Commissioners for cost of management, the remainder going to the ballast men. Shipowners are required to make prepayment, and the officers of the ship receive, before taking the ballast on board, a printed notice, requiring them to examine the ballast lighter, and thereby ascertain whether they receive the correct weight, and the ballast men are not paid except on the ship's receipt of having taken so many tons. The onus, therefore, rests with the officers of the ship.

SEVERE SENTENCE.

MR. PHILIPPS (Lanark, Mid): I beg to ask the Lord Advocate whether his attention has been called to the fact

that, in the case of two men, named Edward Marshall and Charles M'Gill, convicted of killing one rabbit at Maryhill, near Glasgow, Sheriff Balfour has imposed a penalty upon each of them of £5 or 14 days' imprisonment; and whether he will obtain some mitigation of this sentence?

*MR. J. P. B. ROBERTSON: I have no knowledge of the case referred to in this qnestion. If mitigation of the sentence is desired the proper course is to make a representation for the consideration of the Secretary for Scotland.

GOTHENBURG LICENSING SYSTEM.

MR. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the Under Secretary of State for Foreign Affairs whether, following the precedent in the year 1876 (see Appendix to the Lords' Committee on Intemperance, First Report, dated 23rd March, 1877), the Secretary of State will instruct Her Majesty's Minister at Stockholm to obtain information as to the working of the Gothenburg scheme for regulating the sale of intoxicating liquors from 1876 to the present time, and lay such information before Parliament?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): Yes, Sir; the information will be called for.

THE MARGARINE ACT.

MR. J. E. ELLIS: I beg to ask the Secretary to the Treasury whether his attention has boen drawn to the statements of Consul General Bernal, at p. 29 of his Report on the Trade of the Havre District, as to the evasion of "The Margarine Act, 1887;" and whether instructions will be given to the Customs Officers to do their utmost to prevent these frauds?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I have referred to the Report quoted by the hon. Member as to the adulteration of Normandy butter, and have called the attention of the Board of Customs to it, and asked them to take any steps in their power to expose the adulteration. I notice that the Vice Consul states that, between 1882 and 1887, the export of butter from Normandy to England fell from nearly 90,000,000f. to 58,000,000f., a decrease of more than 35 per cent. It is therefore apparent that deteriorated butter is not appreciated.

THE SCOTCH MAILS.

MR. ESSLEMONT (Aberdeen, E): I beg to ask the Postmaster General why it is that no acceleration in the mails has been effected by the opening of the Forth Bridge, notwithstanding the fact that passenger trains are arriving over an hour earlier, and before the London mails; and what steps he intends to take in the matter?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): The Department is fully aware of the acceleration which is possible owing to the opening of the Forth Bridge. Arrangements are now under consideration which will enable me to take advantage of it for the mail service, and I hope it may be possible to arrive at a satisfactory settlement of the matter.

THE INDUSTRIAL SCHOOLS BILL.

SIR UGHTRED KAY-SHUTTLEWORTH (Lancashire, N.E., Clitheroe): I beg to ask the Secretary of State for the Home Department whether he is now in a position to state the course which he will adopt with regard to the representations made on behalf of School Boards as to the prejudicial effects which the Industrial Schools Bill, in its present form, would have upon their powers and duties, and on the education and training of large numbers of neglected children; and whether he has fixed a day for receiving a deputation from School Boards upon this subject? I have also to ask the right hon. Gentleman how soon the Report for 1889 of the Inspector of Reformatory and Industrial Schools in Great Britain, which was laid upon the Table of the House on Monday night, will be in the hands of Members, and whether a copy of it is now accessible in the Library?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am quite prepared to consider the representations of the School Boards as to the Industrial Schools Bill. No day has been fixed for receiving a deputation. The Report of the Inspector of the Reformatories is not now accessible in the Library, but will be early in the morning of Tuesday next.

POSTAGE OF VOTERS' CLAIMS.

MR. CAUSTON (Southwark, W.): I beg to ask the Postmaster General whether claims of voters, either as lodgers or occupiers, both before and after signature by the claimants, can be sent through the post at book-post rates, notwithstanding the fact that a printed footnote is attached to the document instructing the claimants how to fill up the form?

*MR. RAIKES: Claims of voters are allowed to pass at book-post rates provided nothing of the nature of a letter is added; and if the printed footnotes the hon. Member refers to can be put in general and impersonal terms they will not be objected to, either when the documents are sent out or when they are returned after signature.

MR. CAUSTON: Will the right hon. Gentleman give attention to the matter in order to prevent these fidgetty and vexatious objections in regard to postal matters? Would the regulations be strictly enforced if a man wrote "or" instead of "this?" A letter appeared in the newspapers a day or two ago, in which it was pointed out that a trivial objection of that nature had led to the Post Office refusing to receive the notices.

*MR. SPEAKER: Order, order! That is a question which ought to be put on the Paper in the usual way.

MR. CAUSTON: Will the right hon. Gentleman answer the first part of the question?

*MR. RAIKES: Am I to understand that the circular was printed in general terms?

MR. CAUSTON: The Post Office Officials looked upon the word "this" as personal.

TITHE RENT DISTRAINTS.

MR. STUART RENDEL (Montgomeryshire): I beg to ask the Secretary of State for the Home Department whether he is aware that, in the course of the last three years, the total number of distraints for the tithe rent-charge in the county of Montgomery amounts to 122; whether, in any of those cases any of the parties concerned have acted in any way beyond their legal rights; whether he is aware that the total number of sales under distraints for tithe during the same period in the same county is 43; and whether at any of these sales there has been any breach of the peace, and whether, in the carrying on of the sales any expense whatever has been thrown upon the County Authorities?

MR. MATTHEWS: I am informed by the Chief Constable that the number of distraints and of sales under distraints have been as stated. There has been no breach of the peace at any of these distraints or sales, and the county has incurred no expense whatever.

MR. STANLEY LEIGHTON (Shropshire, Oswestry): I beg to ask the First Lord of the Treasury whether the statement of the Chief Constable of Denbighshire, made before the Joint Police Standing Committee, has been brought to his notice; whether it is true that rioting has occurred in North Wales, and the agents distraining for tithe rent-charge have been prevented from carrying out their legal duties; whether 300 farms remain to be visited, and whether in the Chief Constable's opinion he has not sufficient force to protect the agents; whether his attention has been called to the recommendation of the Chief Constable that Hussars should be called in for their protection, and to the fact that Mr. Stevens, acting on behalf of the Ex-Commissioners, has been put in fear of his life, the people threatening to kill him and all his party; and whether, under these circumstances, the Government are prepared to take precautionary measures for the preservation of order in the disturbed districts?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The only information on the alleged facts I have, is derived from a newspaper report, as to the accuracy of which I cannot give an opinion. It is the duty of the authorities charged with the preservation of the peace to see that proper steps are taken to prevent disturbance and to secure that process of the law duly issued is carried into effect. The nature of the steps to be taken and the precautions to be used must rest with the judgment of the authorities, and Her Majesty's Government cannot undertake, in answer to an abstract question, to say what measures should be taken.

MR. STUART RENDEL: May I ask the right hon. Gentleman whether his

attention has been directed to the difference in the experience during the last few years of the Head Constables of Montgomeryshire and Denbighshire in collecting tithes?

*MR. W. H. SMITH: I should not like to draw any invidious distinction between public servants who are performing valuable services. I may say, however, that I am informed that the tithe has been collected in Montgomeryshire in a manner which reflects credit on those concerned, and that the Chief Constable has exercised remarkable discretion in the discharge of his duties in connection with the maintenance of the law. I trust that like results may attend the due exercise of similar functions in Denbighshire.

CASE OF THE REV. MR. DOBIE.

MR. MARJORIBANKS (Berwickshire): I beg to ask the Under Secretary of State for Foreign Affairs whether he is now in a position to make a full statement as to the case of the Rev. Mr. Dobie, who suffered imprisonment at Hodeidah; and what redress he is to receive for the maltreatment he has undergone?

*SIR J. FERGUSSON: The account given of the circumstances by the Turkish Authorities differs so materially from Mr. Dobie's version that the British Vice Consul at Hodeidah has been directed to make further inquiries as to the facts.

CASE OF JED AT ALEPPO.

SIR A. BORTHWICK (Kensington, S.): I beg to ask the Under Secretary of State for Foreign Affairs whether the Aleppo Consulate has confirmed Mr. Barker's accusation against Jed?

*SIR J. FERGUSSON: The case is still before the Turkish tribunals, but is being carefully watched by Her Majesty's Embassy at Constantinople and Consulate at Aleppo. It would be obviously improper to make public the opinion of one of Her Majesty's Consuls upon a matter which is still *sub judice*.

REFORMS IN ARMENIA.

MR. F. S. STEVENSON (Suffolk, Eye): I beg to ask the Under Secretary of State for Foreign Affairs whether any communications, formal or informal, have passed between Her Majesty's Government and the Turkish Government as to the effect which the continued refusal of the Porte to carry out reforms in Armenia, in accordance with Article 1 of the Anglo-Turkish Convention of 1878, has upon the validity of other provisions contained in that Convention?

*SIR J. FERGUSSON: Such communications have passed, but they are not of a kind to be made public.

MR. F. S. STEVENSON: Will any of these communications appear in Papers about to be laid on the Table in relation to the Armenian Question?

*SIR J. FERGUSSON: No, Sir; I do not think so.

MR. SCHWANN (Manchester, N.): I beg to ask the right hon. Gentleman whether he has had his attention drawn to a telegram from Odessa, in the *Daily News* of 9th July, to the effect that the Armenians have lost all hope of protection and redress from the Turkish Government at Constantinople, as the futility of all appeals and protests made to the Porte by the Great Powers has been demonstrated during the last 12 months; and whether Her Majesty's Government is prepared to invite the Russian Government to occupy Armenia, and put an end to the scenes enacted by the Kurds?

*SIR J. FERGUSSON: That would be a very strong step to take on the strength of a telegram from Odessa.

MR. A. O'CONNOR (Donegal, E.): Is it true that there are two Russian Infantry divisions within a day's march of the frontier?

*SIR J. FERGUSSON: I am not prepared to answer that question.

TEACHING UNIVERSITY FOR LONDON.

MR. G. OSBORNE MORGAN (Denbighshire): I beg to ask the Vice President of the Committee of Council on Education whether the proposed Scheme for the establishment of a Teaching University for London will be laid upon the Table of the House before it is finally confirmed; and whether, before such confirmation, an opportunity will be afforded to the University Colleges in the provinces of expressing their views on the provisions of that Scheme?

MR. JACKSON: Under the College Charter Act, 1871, a copy of every Draft Charter for the foundation of any College or University must be laid before both

Houses of Parliament for 30 days before it is submitted to Her Majesty for approval. Every opportunity will be given to the provincial colleges for expressing their views on the subject. The Scheme has not been as yet submitted to the Privy Council Office

LOTTERIES IN INDIA.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.): I beg to ask the Under Secretary of State for India if it has been brought to the notice of the Secretary of State, either by Reports from India, or by advertisements in the Indian newspapers, that a very extensive system of lotteries has lately prevailed in India, the law against lotteries notwithstanding, and that very large sums have been publicly offered and drawn for in connection with the last Derby Race, as "Bengal Club Derby Sweep. 20,330 tickets at Rs.10 each, Rs.203,300. First horse, Rs.101,650," and other lotteries on the same race, advertised by the Bengal Masonic Association, the North-West Club, Allahabad, the Cawnpore Club, and other Associations; and whether any steps have been taken to put down these infractions of the law, as was the case in former years?

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The Secretary of State has no official information on the subject. It is one of the local administration of the law, which in India, as well as in England, forbids lotteries. But the question of the hon. Member will be sent out to the Government of India.

THE INDIAN COUNCILS BILL.

MR. BRADLAUGH (Northampton): Will the First Lord of the Treasury say when it is intended to proceed with the Indian Councils Bill?

*MR. W. H. SMITH: I have received some information, but I do not know whether it is entirely correct, that the measure will not be opposed, as at one time it was feared that it would be. If it is possible to take it without opposition, it will be proceeded with on an early day.

*MR. BRADLAUGH: When does the right hon. Gentleman propose to take the Second Reading of the Bill? He will, no doubt, bear in mind that I refrained from moving an Amendment to the Address upon the honourable understanding and almost distinct pledge that the question would be dealt with between Easter and Whitsuntide. This arrangement has been recognised over and over again across the floor of this House.

*MR. W. H. SMITH: I acknowledge the accuracy of the statement of the hon. Gentleman, but I am not able to say at this moment when the Second Reading will be taken. We are now in Committee of Supply, and as soon as I can see my way I will intimate to the hon. Gentleman when the Bill will be taken.

THE POST OFFICE DISTURBANCES.

MR. CONYBEARE (Cornwall, Camborne): I beg to ask the Postmaster General whether the notice signed by the Controller, and dated 7th July, which was published in the *Pall Mall Gazette* and other papers, on Tuesday last, was issued with his knowledge and sanction; and, if not, how it happened that an important notice purporting to contain his orders to the *employés* generally was issued without his knowledge and sanction?

*MR. RAIKES: I had no knowledge of the notice to which the hon. Member refers, and, therefore, could not have sanctioned it. Notices in the name of the Postmaster General are necessarily often issued which he has not previously seen. In my absence on Sunday last the authorities of the Post Office only discharged their duty in issuing the notice in question, which has my entire approval.

MR. CONYBEARE: May I ask whether, in view of the apology which was posted by the Controller in the Post Office relating to a resolution supposed to have emanated from the E.C. district postmen, which the right hon. Gentleman read to the House on Monday, he is now prepared to make any correction of the statement which he then made?

*MR. RAIKES: I have no correction to make in the statement, because I read it to the House exactly as I received it. It appears that the Controller who forwarded it to me was under a mistake as to the body from whom the resolution emanated. I only wish that the Controller's first impression had been a correct one.

MR. CONYBEARE: Is the right hon. Gentleman aware that in the Holloway district this morning no letters were

delivered and no collection was made until 1.30 p.m., and whether it is a fact that in the E.C. district work has been suspended; whether at the Leicester Square Parcels Office 72 men have been dismissed at a moment's notice, for declining to sign an agreement binding themselves not to strike; whether it is a fact that 50 supernumeraries, or additional hands, are now employed there, how many of these the right hon. Gentleman has employed in the Post Office, and how many police he has employed to look after them?

*MR. RAIKES: I must ask for notice of the hon. Member's questions as to matters of detail; but in order to re-assure the public mind, I may state that the defections which took place at Leicester Square Parcels Office have been more than filled up, and that applicants for the work have had to be turned away. I understand that the postal delivery has been proceeded with in the East and Holloway districts, but, of course, in the peculiar circumstances of the case, not with the usual regularity.

DR. TANNER: Is the right hon. Gentleman aware that the traffic in Leicester Square has been considerably obstructed owing to vans remaining outside the Post Office there uncared for?

*MR. RAIKES: No, Sir; I have no information to that effect.

MR. CONYBEARE: Are boys, usually earning 7s. a week, employed as letter carriers?

No answer was given.

THE LEWIS MAILS.

MR. MUNRO FERGUSON (Leith): I beg to ask the Postmaster General whether his attention has been called to the loss entailed on the inhabitants of the Island of Lewis by the mail contractor, Mr. MacBrayne, causing the mail steamer *Locheil* to diverge to Portree, both on her outgoing and incoming passage daily from Stornoway to Stromeferry since 27th June, to relieve himself of the expense of chartering a steamer for the Skye Mail Service, this divergence causing the Lewis Mails to lose the train connection at Stromeferry, and retarding their arrival at Stornoway by three to six hours behind the advertised time, notwithstanding that the right hon. Gentleman had caused the Stornoway Burgh Authorities to be informed on the 20th September last that Mr. MacBrayne had promised in September, 1889, that under no circumstances, unless compelled by storm to do so, would the Stornoway and Stromeferry steamer be diverted from her course; and whether he will use means of putting an immediate stop (if not already stopped) to such a course of action on the part of the contractor?

*MR. RAIKES: It appears that some dislocation of the Mail Service has been caused by one of the steamers employed striking on a rock. Mr. MacBrayne has been communicated with in respect of the divergence from the prescribed route complained of by the hon. Member, but I think the House will understand the difficulty in which the contractor was placed by the accident in question, and that the hon. Member will make some allowance for the unforeseen contingency. I will give directions that the service shall be restored to its normal state without delay.

PLEURO-PNEUMONIA IN AMERICAN CATTLE.

MR. LENG (Dundee): I beg to ask the President of the Board of Agriculture whether he has received a copy of the Annual Report of the United States Department of Agriculture (Bureau of Animal Industry) just issued; and whether, for the information of British agriculturists, he will lay upon the Table of the House that portion of it which relates to the alleged existence of pleuro-pneumonia in cattle shipped from the United States to Great Britain?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): The Annual Report of the United States Department of Agriculture has been received, and there will be no objection on my part to lay upon the Table of the House those parts of the Report which relate to the existence of pleuro-pneumonia in cattle in the United States.

PICTURES FOR THE NATIONAL GALLERY.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.): I beg to ask the Chancellor of the Exchequer whether it is true that, without consulting Parliament, and while the debt for the very expensive pictures

bought a few years ago is still undischarged, he has consented to giving £25,000 from the Exchequer to enable the National Gallery to pay £55,000 demanded by the owners of three pictures?

MR. GOSCHEN: I have consented, subject, of course, to the approval of Parliament, to contribute £25,000 towards the purchase of three pictures—a Velasquez, a Holbein, and a Moroni, as representations made to me by the highest authorities convinced me that it was most important to secure these works for the nation. The remaining £30,000 has been guaranteed by private donors, who have come forward with great munificence. Their alacrity in making the offer is a striking and most satisfactory proof of the value attached to these pictures by men who are competent to judge, and ready to back their judgment by personal liberality.

SIR G. CAMPBELL: I beg to give notice that I shall strenuously oppose the purchase.

ANGLO-GERMAN AGREEMENT.

MR. ALFRED PEASE (York): I beg to ask the Under Secretary of State for Foreign Affairs whether, in view of the serious want of details and discrepancies that exist in the published maps of Africa, purporting to give the new boundaries as settled by the Anglo-German Agreement, and seeing that the Tea Room map to which he has referred hon. Members does not correspond in some particulars with the Agreement, and does not give the following rivers and places named in the Agreement and Correspondence, namely, the River Lumé. southern branches of the River Kilambo, River Aka, Lufira River, and Towe, Kowe, and Agotine, in the Volta District, he will re-consider his decision, and have a correct map setting forth the new boundaries published for the use of Members?

*SIR J. FERGUSSON: A map will be placed in the Tea Room. At the time when that now in the Tea Room was prepared we were not in possession of the full particulars.

MR. SCHWANN: I beg to ask the First Lord of the Treasury whether the Naval Authorities at the Admiralty, or otherwise, have presented any Report as to the strategical importance of Heligoland to England; and, if so, what is that Report?

*MR. W. H. SMITH: As I have before stated, the papers relating to the strategical value of Heligoland are of a confidential character, and I am unable to make any statement as to their purport, but the hon. Gentleman may draw his own inference from the fact that no Government since 1821 has either armed or garrisoned the island.

MR. SCHWANN: Does it not appear that these documents are so confidential that they can only be shown to Members on the other side of the House?

[No answer was given.]

MR. CHANNING: I beg to ask the First Lord of the Treasury whether, in the case of those inhabitants of Heligoland who, under the 2nd section of the 12th article of the Anglo-German Agreement, exercise their right of option to remain British subjects, the children of such inhabitants born after the signature of the Agreement will, under the Agreement, have the status of British subjects or will be German subjects, and liable to military and naval conscription and the other duties of German subjects? I wish further to know what will be the position of these children under the German law. Will they be liable to conscription or not?

*MR. W. H. SMITH: I will lay the German law on the Table.

FLASHING SIGNALS.

MR. HOLLOWAY (Gloucester, Stroud): I beg to ask the First Lord of the Admiralty if the Papers to be laid upon the Table of the House of Commons relating to the claims of Admiral Colomb as the inventor of the system of flashing signals in use in the Navy will include copies of the Correspondence between Major General Henry P. Babbage and the First Lord of the Admiralty regarding the title of his father, the late Charles Babbage, M.A., F.R.S., &c., to the invention?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): I have only undertaken that the Official Correspondence relating to the claims of Admiral Colomb shall be presented to Parliament, and this is voluminous in itself. I see no advantage in adding to it the letters alluded to, as the

question is not who invented flashing signals, but the value of Admiral Colomb's system in adapting such signals to naval purposes.

In answer to further questions from Mr. WINTERBOTHAM (Gloucester, Cirencester), and Mr. BRADLAUGH,

*LORD G. HAMILTON: I must adhere to my answer, that it would be useless to add to the Correspondence the letters I refer to. If Mr. Babbage or any other person was the real inventor of the system of flashing signals, he could have made his title good in a Court of Law.

POSTAGE OF VACCINATION CERTIFICATES.

MR. THOMAS SUTHERLAND: I beg to ask the Postmaster General if he is aware that in Scotland the form of vaccination certificate given out to be filled up on the registration of a child's birth is charged at the rate of a penny postage, instead of a halfpenny as in England; and if he will have this difference of charge remedied?

*MR. RAIKES: Mere certificates are passed at the book-rate of ½d. in Scotland as well as in this country. But vaccination notices are considered to be letters, and the charging of letter postage in the cases to which the hon. Member refers has no doubt arisen from the fact that the certificates have been accompanied by the notices. I am, however, now in correspondence with the Registrar General of Scotland with a view to an arrangement which, I trust, will be satisfactory.

THE DISCONTENT AMONG THE GUARDS.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the Secretary of State for War if it is true that a line regiment has been ordered to London to help the Guards in their duties; and if he will inquire into the alleged discontent in the regiment (Grenadier Guards) as to parades and drills?

*MR. E. STANHOPE: The answer to both paragraphs of the hon. Member's question is—Yes.

MR. CONYBEARE: How has it come about that it should be necessary to bring a line regiment to London to assist the Guards in performing their duties?

DR. TANNER: Is it true that the unfortunate men of the Grenadier Guards have been compelled to perform night sentry duty on seven nights out of ten?

*MR. E. STANHOPE: I can make no observation with respect to the last question, because the whole subject is now under inquiry. The presence of the line regiment is necessary, because, for the present moment, the number of Guards in London is short, owing to the absence of men engaged in manœuvres.

MR. EDWARD BARNARD.

MR. WINTERBOTHAM: I beg to ask the Secretary of State for War whether the superannuation allowance proposed in the Vote in the name of Mr. Edward Barnard for £140 includes any added number of years for "special age at the time he joined, and for special technical knowledge and experience;" whether Mr. Barnard joined on the understanding that he should receive the benefit of the 20th article of the 1859 Act, and whether the War Department have decided his claim to be a fair one; and whether he will state the reasons why, if so, his claim has been refused?

*MR. E. STANHOPE: No years have been added under the provisional clause, because the Treasury are unable to admit that any promise was made under due authority at the time Mr. Barnard entered the Service.

SALE OF INTOXICATING LIQUORS ON SUNDAY (WALES) ACT (1881) AMENDMENT BILL.

MR. ROBERTS (Flint): I beg to ask the First Lord of the Treasury whether he can give any facilities for passing into law the Sale of Intoxicating Liquors on Sunday (Wales) Act (1881) Amendment Bill, which carries out all the recommendations made in the Report of the Royal Commission appointed by the Government to inquire into the operation of the Welsh Sunday Closing Act?

*MR. W. H. SMITH: I am sorry to say that the Government are not in a position to give facilities for this Bill.

THE LOCAL TAXATION BILL.

MR. CHANNING (Northampton, E.): I beg to ask the First Lord of the Treasury whether, in the appropriation of the money provided for the purposes

of the Local Taxation (Customs and Excise Duties) Bill, Her Majesty's Government will take into consideration that these taxes were voted with the express intention of making good to the County Councils the deficiency in the sums promised in 1888 arising from the withdrawal of the Excise Duties (Local Purposes) Bill in that year; and whether, having regard to the probability that the tax will considerably exceed the estimate, Her Majesty's Government will take this opportunity of placing sufficient sums at the disposal of County Councils to enable them to establish or aid technical schools within their jurisdiction, and also to enable them to aid subordinate Sanitary Authorities in dealing with unhealthy areas and premises under the Housing of the Working Classes Bill, about to be passed this Session?

*MR. W. H. SMITH: I must refer the hon. Member to the many answers I have given to questions of a similar nature.

MR. CHANNING: But, Sir, this raises a new point. Cannot the right hon. Gentleman state whether the money will be appropriated to Imperial or local purposes?

*MR. W. H. SMITH: I can give no further assurance.

MALTA.

MR. SUMMERS (Huddersfield): I beg to ask the First Lord of the Treasury whether his attention has been called to the strong objections taken by the inhabitants of Malta to pay the expenses of Sir Lintorn Simmons's special Mission to the Vatican, on the ground that the Mission was despatched by the Imperial Government acting on its own exclusive responsibility, and that neither they nor their representatives had any voice in the matter; and whether, under the circumstances, he will consider the advisability of placing on the Estimates a Vote for the Mission in question? I also beg to ask the right hon. Gentleman whether he is aware that Mr. Savona brought forward a Motion in the Council of Government at Malta, on 20th June, to the effect that—

"The payment of all the expenses incurred for Sir Lintorn Simmons's special Mission to the Vatican out of the revenue of Malta, without taking the vote of the elected Members thereon, was made in violation of the 29th section of Her Majesty's Letters Patent of the 12th December, 1887, and that the amount so paid should, therefore, be refunded;"

that a majority of the elected Members of the Council voted in favour of this Resolution; that the three salaried elected Members of the Executive Council who voted against it have since resigned; and that the Council of Government has been adjourned *sine die*, without completing the business which it had under its consideration; and whether he can give the House any information on this subject?

*MR. W. H. SMITH: Her Majesty's Government are aware that objections have been taken by some of the Members of the Council of Government of Malta to the payment of the expenses of the Mission to the Vatican out of Malta funds on the grounds mentioned. As the Mission related exclusively to Maltese affairs, Her Majesty's Government do not propose to place a Vote on the Estimates. In answer to the second question of the hon. Member, Mr. Savona did bring forward a Motion in the Council of Government in the terms stated. The Motion was not carried. Eight of the elected Members of the Council voted in favour of the Motion, and six against it. The three salaried elected Members of the Executive Council who voted against the Motion have tendered their resignation, which has not been accepted. The Council of Government has been adjourned, in consequence of the tender of resignation by the three Members of the Executive Council, without completing the business before it. I have no further information to communicate to the House.

MR. T. M. HEALY: This is a subject in which Irish Members take an intense interest, regarding it as an attempt by a side wind to bring the authority of the Government to bear on Rome, *vid* Malta. I beg to ask what opportunity will be given of discussing the policy of the despatch of Sir L. Simmons to Malta?

*MR. W. H. SMITH: I apprehend, although I do not speak with certainty, there will be an opportunity for a discussion to take place on the subject on the Colonial Vote.

MR. T. M. HEALY: The Irish Members will certainly raise that most important question, either on the Colonial Vote or on some other occasion.

IRELAND—THE POTATO BLIGHT.

MR. FLYNN (Cork, N.): I beg to ask the Attorney General for Ireland whether his attention has been directed to the reports from West Cork and several parts of Kerry County, stating that, owing to the continued bad weather, the potato blight has made its appearance in those districts; whether the Government have any information on the matter; and, in view of the serious nature of these reports as affecting a large nmmber of poor people, whether he will cause inquiries to be made on the subject?

*THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The reports before the Irish Government lead to the conclusion that the recent continuous wet weather has had the effect mentioned in the first paragraph of the question. The matter is receiving the careful attention of the Government, and all possible inquiries have been and will continue to be made.

EMERGENCY MEN.

MR. SHEIL (Meath, S.): I beg to ask the Attorney General for Ireland whether he is aware that the emergency men occupying the house of Miss N. Kieran, of Castletown, Navan, County Meath, are in the habit of indulging in revolver practice beneath the windows of the house; that besides the lady named above two others dwell in it, one of whom is so ill that it is impossible to remove her, and that her life has been seriously endangered; and whether he will take steps to put an end to this conduct of the emergency men?

MR. MADDEN: The Constabulary Authorities report that the facts are not accurately stated in the question. On one occasion only did one of the caretakers referred to discharge his revolver. His object is stated to have been to frighten some crows from a field of potatoes under his charge.

LAND COMMISSION—MR. SUB-COMMISSIONER FRAZER.

MR. W. A. MACDONALD (Queen's County, Ossory): I beg to ask the Attorney General for Ireland whether it is true that Mr. Robert Frazer has recently been appointed a Sub-Commissioner to fix fair rents; whether this is the same Mr. Frazer who formerly applied to have a fair rent fixed on a farm near Donaghmore which he held from the Dowager Lady Castletown, with regard to whom the Chairman of the Sub-Commission said—

"We have had frequently Mr. Frazer, the tenant of this farm, before us as a valuer, generally for landlords, and certainly if we took his valuations as a standard to base the value of this land on, we should be obliged to increase instead of decrease the rent. However, we give him the benefit of our own estimation of its value and reduce the rent. We must say we consider this the worst managed farm we have come across for a long time;"

and whether he can state what Mr. Frazer's qualifications are for the office to which he has been appointed?

*MR. MADDEN: In May last, Mr. Frazer was merely appointed temporarily to perform the duties of an Assistant Commissioner, who was absent on sick leave. When this gentleman returned to work, Mr. Frazer ceased to be employed, and has no claim for further employment. Mr. Frazer is the same person who applied to have a fair rent fixed in the Queen's County, to which reference is made in the second paragraph. That farm, however, appears to have been merely a small outlying grass holding, containing some 40 acres, and on which Mr. Frazer did not reside. As regards his qualifications, I am informed that he is a practical farmer, holding altogether nearly 500 acres.

LAND COMMISSION—MOUNTMELLICK UNION.

MR. W. A. MACDONALD: I beg to ask the Attorney General for Ireland whether he can state how many cases of tenants from the Mountmellick Union, who had served originating notices to have fair rents fixed, were heard by the Sub-Commissioners sitting at Maryborough last month; how many cases were postponed; and why the case of Mr. Carroll, of Gossbrook, in the Mountmellick Union, who served an originating notice to have a fair rent fixed as long ago as October, 1887, has not yet been heard?

*MR. MADDEN: The Land Commissioners report that 57 cases from the Mountmellick Union were listed for hearing at Maryborough, and were heard and disposed of on the 10th, 11th, and 12th of June. Three cases were post-

poned; one in consequence of the recent death of the landlord; one at the request of the parties to effect an arrangement of the future rent; and one for the purpose of ascertaining the proper area of the holding. The case of Mr. Carroll, of Gossbrook, will appear on the list for 8th October next, with other cases from the same district. This case was not in the same district as the cases which appeared for hearing on recent lists.

BALLYMENA UNION.

MR. M'CARTAN (Down, S.): I beg to ask the Attorney General for Ireland whether his attention has been called to the report in the *Belfast Morning News* of 30th June, of the proceedings at the last meeting of the Guardians of the Union of Ballymena; and whether, considering that the Master of the Workhouse has practically denied the serious charges made against him, and considering, also, the explanation given by the Matron of the charges made against her, he will consider whether it is not desirable to cause a sworn inquiry to be held to investigate these charges?

*MR. MADDEN: The Local Government Board, having received and considered the explanations in writing of the Master and Matron of the Ballymena Workhouse in regard to the charges made against them, have determined that it is a case in which a sworn inquiry should be held. They have accordingly directed one of their Inspectors to proceed with such inquiry.

PLEURO-PNEUMONIA IN DUBLIN.

MR. T. M. HEALY: I beg to ask the Secretary to the Treasury whether the Phœnix Park was declared an infected area within the past 12 months because of an outbreak of pleuro-pneumonia amongst the cattle grazing thereon; who owned these cows, and who sanctioned their being in the Park; what loss have the taxpayers sustained for compensation to the owners; will the Government in future prevent the annoyance caused to the public by allowing cows to graze in the Park; and by whose authority has the lower portion of the Park, near the Hibernian School, been railed in from the public, and for what purpose?

*MR. JACKSON: The Phœnix Park was declared an infected area on September 16, 1889, in consequence of an outbreak of pleuro-pneumonia among the cattle grazing in it, and the Order is still in force. The cattle referred to were the property of Mr. R. G. Nash, of Howth. They were, in accordance with the usual practice, taken in for grazing by the Commissioners of Public Works, who are the custodians of the Park. I have no information as to the loss the taxpayers sustained by the payment of compensation to the owner. The Park is now, under the advice of the Veterinary Department of the Privy Council, being grazed with sheep, and this arrangement will be continued so long as there is any liability to an outbreak of pleuro-pneumonia among cattle. The plot of ground near the Hibernian School has been railed in for many years under the authority of the Commissioners of Public Works, being meadow land, the hay from which is used for feeding the deer in winter.

MR. T. M. HEALY: The right hon. Gentleman has not stated what the loss to the taxpayer has been, nor has he explained why it is that the Board of Works, in spite of the repeated expression of opinion on the part of the Irish Members, still allow cattle to graze in the Phœnix Park. I myself warned him last year against the practice, and the ratepayers have now lost £600 in consequence of allowing it.

*MR. JACKSON: I have given the information I was asked to give. I was asked a specific question, and I am told by the Board of Works that they have no information that will enable them to give the figures.

MR. T. M. HEALY: Is it not the fact that when this herd of cattle was ordered to be slaughtered under the Pleuro-Pneumonia Act a claim was immediately made by the owner for so much per head? Surely if that is the case the loss may be easily calculated even at the Board of Works.

*MR. JACKSON: The hon. Member had better give notice of the question.

MR. T. M. HEALY: I will put down another question.

INDECENT ADVERTISEMENTS ACT.

MR. T. M. HEALY: I beg to ask the Attorney General for Ireland if he will state why "The Indecent Advertisements Act, 1889," is not more stringently

enforced in the Dublin Metropolitan Police and Clontarf districts; and have any prosecutions taken place within those areas?

*MR. MADDEN: I am informed that the police are watching the advertisements closely, and are making every effort to enforce the Statute. I am further informed that since the Statute came into operation the phraseology of certain objectionable advertisements has been modified. Several cases have been reported for prosecution. Of these, the strongest was taken as a test case. It was adjourned for a week and then dismissed, the Magistrate expressing his regret at having to adopt such a course. No opportunity will be lost of instituting further proceedings where there is a likelihood of obtaining a conviction.

MR. WILLIAM BLOOD.

MR. COX (Clare, E.): I see there is a question on the Paper in my name to ask the Attorney General for Ireland whether Mr. William Blood, of Cranaher, County Clare, was twice fired at within the past 12 months while under protection of the police, first on the public highway in the middle of the day, and secondly, into Mr. Blood's house while he was sitting at the fire; whether the bullets found in the house, and alleged to be fired, were found to be of the Constabulary rifle and revolver pattern; whether any investigation as regard the police on protection duty was made; and, if so, with what result; and whether any arrests were made in connection with either of the alleged outrages? The question appears on the Paper to-day without my knowledge. I did not authorise it to be put down. I may say, however, that the question now appears as I originally handed it in. It may be remembered that on the last occasion I had to complain of its mutilation. I have now to ask whether the two attempts, by shooting, on the life of Mr. Blood, within the past 12 months, are included in the Returns of Irish Agrarian Outrages; and, if not, under what head do they appear?

*MR. MADDEN: The Constabulary Authorities report that the outrages referred to are recorded in the printed Returns under the following heads, namely:—First, Firing at the person—not agrarian; second, Firing into Dwelling—not agrarian.

WEATHER FORECASTS.

MR. W. P. SINCLAIR (Falkirk &c.): I beg to ask the Secretary to the Treasury whether his attention has been drawn to the following statement of the officer in charge of the Ballycastle (Antrim) Coastguard division, which is given in the Report of the Inspectors of Irish Fisheries:—

"There should be more knowledge of forecasts of weather, and if the system of hoisting drums were carried out at Port Ballintrae and Portrush it would be advantageous, the fishermen at those places being very persevering. At the former place two boats lost their long lines on two separate occasions, owing to unforeseen gales coming on;"

and if, in consequence of this suggestion, it is proposed to arrange that drums shall in future be hoisted, so as to allow the fishermen of these ports to have the advantage of weather forecasts?

*MR. JACKSON: I am informed by the Meteorological Council that they are quite prepared to issue storm warnings to Portrush and Port Ballintrae if local arrangements are made for publishing them.

NATIONAL LEAGUE MEETING AT TIPPERARY.

MR. J. O'CONNOR (Tipperary, S.): I beg to ask the Attorney General for Ireland whether he is aware that a meeting of the suppressed branch of the National League at Tipperary was held on Sunday, the 29th ultimo, and that after the meeting was over, from 500 to 600 men marched into the town in a body; whether any steps were taken by the police to prevent the holding of this meeting; and do meetings of this branch regularly take place once a fortnight, where speeches are delivered; and is it the intention of the Government to allow these meetings to be held in the future; and, if so, will the Government announce its intention, so that the members of the branch may not be put to the trouble of holding them in secret?

*MR. MADDEN: I am informed that there was no outdoor meeting of the suppressed branch of the League at Tipperary on the date mentioned; and,

also, that it is not a fact that 500 or 600 men marched into the town. The Government has no intention as that expressed in the last paragraph of the question.

"BARRY *v.* BALL."

MR. FLYNN: I beg to ask the Attorney General for Ireland whether his attention has been called to the fact that the civil action of Mr. Barry, Poor Law Guardian, against District Inspector Ball, Royal Irish Constabulary, Fermoy, is fixed for Thursday next; and, in view of the fact that Mr. Barry is at present in Cork Prison as a bail prisoner, whether he can state if there are any means open to the Prisons Board by which they can have Mr. Barry produced at the Court on Thursday, or any later day on which the action may be taken?

MR. MADDEN: My attention was called to this matter through the previous question on the subject put by the hon. Member. As I then stated, while the General Prisons Board have no power to produce the bail prisoner in Court, there would not be the least difficulty in his obtaining a writ of *habeas corpus*, which would enable him to attend at the hearing of the case.

ALLEGED DEATH BY VIOLENCE IN A LUNATIC ASYLUM.

MR. W. CORBET (Wicklow, E.): I beg to ask the Attorney General for Ireland, with reference to the verdict of the Coroner's Jury on the inquest on Christopher O'Connor, who they found came to his death by violence in the Richmond District Lunatic Asylum, whether the Inspectors of Lunatics have made any Report on the case; and what steps he intends to take to find out by whom the injuries were inflicted?

*MR. MADDEN: The Inspectors have called for copies of the depositions at the inquest. Upon receiving them, they will be in a position to consider the matter.

PUBLIC BUSINESS.

MR. SEXTON (Belfast, W.): I beg to ask whether the First Lord of the Treasury proposes to make any statement as to the course of business, and whether the Government have formed the intention of summoning Parliament for a new Session in November?

Mr. Madden

*MR. W. H. SMITH: The House will remember that I undertook to make a statement respecting the course of public business, if, as I then hoped, the Committee on Procedure should report at an early date. I now hear from my right hon. Friend the Chairman of the Committee that it has adjourned until Monday, and that after what has occurred in the Committee we cannot hold out any certain expectation of an immediate termination of its labours. In these circumstances, I have thought it advisable and respectful to the House not to delay making a statement as to the course which the Government are prepared to take for the future conduct of public business. The first question which the Government had to consider was whether it was desirable in the second half of July to interpose a prolonged and possibly an acrimonious Debate in order to secure the passing of a Standing Order to which they attach great importance in the present Session. I had hoped that that Standing Order would be received with favour in all parts of the House as an improvement in our procedure; but I need not refer further to the opinion which I formed, as it does not appear to be shared unanimously by hon. Members. The Government have decided in the negative—that is to say, not to press this Standing Order in the course of the present Session, at the same time reserving to themselves absolute freedom of action in the future. It follows that they will not proceed with the Land Purchase Bill or the Tithe Bill before the prorogation; but, having regard to the great importance of those measures, they intend to re-introduce them at the earliest opportunity in the next Session, which, as at present advised, they propose shall begin at a much earlier period than is customary. In this way, whilst it is the desire of the Government and the intention of the Government to deal at an early date with that which they regard as important legislation, it will also be possible to meet the wish expressed this Session by the right hon. Member for the Bridgeton Division, and supported in the Division which followed, for a much earlier prorogation of Parliament. It now remains for me to indicate generally the more important measures with which the Government intend to proceed this Session. They are the Housing of

the Working Classes Bill, the Police Bill, the Heligoland Bill, the Local Taxation Bill, and the Census Bill. There will also be one or two Departmental measures which I need not particularise. In these circumstances, I think I may assume that the House will be ready to give Wednesdays for public business, and I shall make the necessary Motion on Monday next.

MR. SEXTON: The right hon. Gentleman has not told us the date at which the Government propose that the new Session shall begin.

*MR. W. H. SMITH: We intend that we should meet at a much earlier period than usual, and the Motion of the right hon. Member for the Bridgeton Division pointed to a meeting in November. As at present advised, Her Majesty's Government think it would be right to ask the House to meet in November, but we hope not until after the first part.

SIR W. HARCOURT (Derby): I hope the Government will give an opportunity to ascertain the general feeling of the House as to whether the meeting of Parliament should be in November or at an early date in January. At all events, the right hon. Gentleman should take some means of ascertaining the general feeling of the House.

MR. T. M. HEALY: I hope the right hon. Gentleman will consider the climatic conditions that prevail in London in November. When we met in November, 1888, for the purpose of considering the Land Purchase Bill, the fog rendered Debate almost impossible.

*MR. T. W. RUSSELL (Tyrone, S.): Are we to understand that the Land Purchase Bill will be the first measure dealt with in the new Session?

*MR. W. H. SMITH: I am sure the hon. and learned Gentleman the Member for North Longford will see that any condition of atmosphere which would tend in the slightest degree to the shortening of Debate would be a great advantage. With regard to the question of the right hon. Gentleman the Member for Derby, I am sure he will see that it rests with the Government to recommend Her Majesty as to the period at which Parliament should be called together, and I think it is necessary that they retain to themselves that responsibility. They have not formed the conclusion at which they have arrived without first taking due precautions to ascertain the feeling of hon. Members.

MR. J. MORLEY (Newcastle-upon-Tyne): I wish to express the hope that the right hon. Gentleman will bring the Census Bill forward at a time when there can be a discussion upon it.

MR. MUNDELLA (Sheffield, Brightside): Can the right hon. Gentleman state what the Departmental Bills are?

*MR. W. H. SMITH: From the right hon. Gentleman's experience, both in the Government and in the House, he must know what the Departmental Bills are. The Government will endeavour to give a fair opportunity to the House to discuss the Census Bill, but I may add that there is no change in it. It will practically be the same as the Bill of 1880, which, I believe, met with general approval.

MR. W. E. GLADSTONE (Edinburgh, Mid Lothian): I wish to know whether the House is to understand from the answer given very succinctly by the right hon. Gentleman that the Government have already determined that the Land Purchase (Ireland) Bill is to take precedence of all other important measures in the coming Session, thereby reversing the order in which it stood with regard to the Tithe Bill in the present Session? I wish also to ask with regard to the right hon. Gentleman's answer to the question of my right hon. Friend the Member for Derby, that it rests with the Government to advise Her Majesty as to the period of the prorogation and summoning of Parliament—in which, of course, I quite agree—whether that is a reason why the House should have no opportunity of expressing its opinion upon a matter so very gravely affecting the convenience of Members, and likewise a matter concerning the progress of public business, upon which hon. Members must be supposed to have some opportunity of forming an opinion which may be of use to the Government in determining what advice they should tender to Her Majesty?

*MR. W. H. SMITH: In answer to the question of the right hon. Gentleman as to the Land Purchase Bill, I have already indicated the views of Her Majesty's Government at the present time. It is impossible to say what circumstances may occur to qualify those views, but it certainly is our intention to put the Land Purchase

Bill forward, so that it can be dealt with by the House at the earliest possible opportunity. With regard to the other questions of the right hon. Gentleman, if he will be so kind as to point out any occasion in his experience on which the House has been consulted prior to the assembling of Parliament at a period unusual, but determined upon with reference to the better management of business, I should be exceedingly glad to consult that precedent. But there are methods of finding out the view of hon. Members with which the right hon. Gentleman is acquainted, and which have satisfied us that it would be for the convenience of the House, on the whole, that we should meet in November, at all events, by way of experiment, with the object and intention of rising in July.

MR. W. E. GLADSTONE: This is simply a question, not of determining the matter, but of allowing Members an opportunity of expressing their opinion. Undoubtedly, as the right hon. Gentleman is well aware, there have been occasions on which Members of the House have partially expressed their opinion, and the right hon. Gentleman has himself referred to the Motion of my right hon. Friend the Member for Bridgeton as having been a matter which has given light to the Government in considering the course they will pursue; and now the Government have come nearer to the point and are about to determine the matter, I must own that it appears to me, and I would ask the right hon. Gentleman whether it does not seem to him, to be a moderate claim that there should be some opportunity given to the House to express its opinion.

SIR W. HARCOURT: I did not ask the right hon. Gentleman that a vote of the House should be taken upon the matter. The right hon. Gentleman may have communicated with some hon. Members, but I do not think any communication has reached hon. Members on this side of the House upon the subject. I never heard of the suggestion to meet in November until I saw it in the newspapers this morning. All I ask of the right hon. Gentleman is that, having indicated that it is the wish of the Government, they will not announce it as a decision from which they cannot recede. Assuming that the Land Purchase Bill is to be the first measure next Session, if you meet at the end of the first week in January, you would have three weeks in January in which you might dispose of the Debate on the Address — at all events, I have never known a Debate on the Address take more than three weeks, not even when it was conducted by right hon. Gentlemen on the Bench opposite — I repeat we might dispose of the Debate on the Address and the Second Reading of the Land Purchase Bill before the end of January, and I say that with the assent of hon. Gentlemen on this side of the House. If that were so, on February 1 you might go into Committee on the Irish Land Purchase Bill, and dispose of that stage in the course of February, March, and April. The legitimate object you have in view might be accomplished by meeting on January 10, which would give you four weeks before the usual time of meeting.

*MR. J. TALBOT (Oxford University): I wish to ask my right hon. Friend to bear in mind the great importance of getting the Tithe Bill passed before the winter is far advanced. Therefore, if Parliament meets again in November, I would urge upon my right hon. Friend that the Government should, if possible, make the Tithe Bill the first measure of the Session.

MR. SHAW LEFEVRE (Bradford, Central): Will the Savings Bank Bill be proceeded with?

SIR G. TREVELYAN (Glasgow, Bridgeton): As reference has been made by the right hon. Gentleman to the Division on an early occasion this year, and the deductions the Government have drawn as to the feeling of the House, may I ask him whether he is aware that a very great number of Members voted on the Main Question whether they could get a considerable part of the summer away from the House of Commons, and that a considerable number of Members who voted for the Resolution believed that that could be done by meeting at the end of the first week in January, and it was only in case that failed to secure a good part of the summer that a considerable number of those who voted in the minority would then very likely have gone over and voted in favour of meeting in November or December? I would also ask whether it is not the case that the actual number of

working weeks in the House is, according to the usual proceedings of the Session, 25, and whether, in case we met at the end of the first week in January, those 25 weeks and two weeks for an Easter holiday would not have been secured before the middle of July?

MR. T. M. HEALY: I should like to ask the right hon. Gentleman to consider how much it would soothe the declining hours of the present Session if the Irish Members were consulted with regard to the allocation of a certain surplus arising out of a certain dropped measure?

MR. LEA (Londonderry, S.): I wish to ask the right hon. Gentleman when he proposes to make his Motion with regard to the Government taking Wednesday Sittings?

*MR. W. H. SMITH: Monday.

MR. LEA: Then I give the right hon. Gentleman notice that I shall certainly oppose his Motion. I would also ask him whether he is aware that the first business now on the Paper for Wednesday next is the Irish Intoxicating Liquors Bill, the Second Reading of which was carried in this House by a majority of 166; and whether he is aware of the enormous interest taken in that measure in all parts of Ireland?

MR. BRYCE (Aberdeen, S.): Am I right in supposing that the Government intend to proceed with the Scotch Police Bill as well as with the English Police Bill; and is it intended to proceed with the Scotch Private Bill Procedure Bill?

MR. ILLINGWORTH (Bradford, W.): If the House meets in November, at what time in the new year will it reassemble?

MR. SEXTON: I would like to ask the Chancellor of the Exchequer how he proposes to secure for Ireland the allocation of the £40,000 under the Local Taxation Bill within the present year, and whether it cannot be done by a clause inserted in the Appropriation Bill?

MR. GOSCHEN: The hon. Gentleman need have no anxiety as to the withdrawal of the £40,000 from Ireland. It shall be secured in one way or another, but it would be premature to deal with the matter at the present time.

*MR. BRADLAUGH: I should like to ask the right hon. Gentleman if he will consider the possibility of the Financial Statement for India being presented before the last days of the Session; and whether he is aware that the explanatory Memorandum, which last year was issued on the 15th of May, has not yet been laid upon the Table?

*MR. W. H. SMITH: The Savings Banks Bill obviously cannot be proceeded with if it is an opposed Bill. In regard to the allocation of the surplus, I am not able to add anything to what I have already stated as to the Local Taxation Bill, but the Government will come to a consideration of that question in the course of a very few days. I have listened, with the greatest attention and with every desire to meet the views of hon. Members and right hon. Gentlemen, to their remarks with regard to the period of the Session; but I think they must be content with the assurance that their suggestions will be received with the consideration which they deserve, and that we do feel ourselves responsible for calling Parliament together for the business to be transacted. And when we have called Parliament together we shall endeavour, as far as possible, to consult the convenience of hon. Gentlemen. I do strongly deprecate the idea that this arrangement will add to the length of the Session. I think there is a strong wish on the part of hon. Members on both sides of the House that we should get away into the country earlier this summer than we have done. As far as the Government are concerned, we shall make every endeavour to bring the Session to an end at a period which will correspond with the earlier meeting of Parliament. With regard to the Scotch Police Bill, it is our wish to proceed with that measure. I hope that it will be referred to a Select Committee this evening, and that it will come back to the House in a form in which it will be possible to deal with it. In regard to the Indian Budget, I will endeavour that it shall be taken at an earlier period if possible. I was not aware that the Memorandum referred to by the hon. Member for Northampton had not yet been issued; but I will communicate with my right hon. Friend the Under

Secretary of State for India on the subject. With regard to the Scotch Procedure Bill, the question is whether it is opposed. [Mr. H. H. FOWLER: It is opposed.] I hear the right hon. Gentleman the Member for Wolverhampton say that he does oppose it, and we cannot in these circumstances proceed with it.

MR. W. E. GLADSTONE: As the right hon. Gentleman has spoken of suggestions from this side of the House, and as it appears to be very doubtful whether there will be any opportunity of giving an opinion in detail in Debate, I cannot help expressing my strong conviction, with regard to this very well-intended plan of shortening the Session, that if we begin our meeting in November, and if no other method is adopted, the inevitable effect of that will be, not to shorten, but to lengthen the Session.

HOUSING OF THE WORKING CLASSES BILL (consolidated from HOUSING OF THE WORKING CLASSES ACTS (AMENDMENT) BILL, and HOUSING OF THE WORKING CLASSES ACTS CONSOLIDATION BILL.

Bill reported from the Standing Committee on Law, &c.

Report to lie upon the Table, and to be printed. [No. 294.]

Minutes of Proceedings to be printed. [No. 294.]

Bill, as amended by the Standing Committee, to be taken into Consideration upon Monday next, and to be printed. [Bill 375.]

MALTA (PROCLAMATIONS.)

Address for—

"Copies of the Proclamations issued by Mr. Cameron, Civil Commissioner of Malta, dated the 15th day of July, 1801:

"And by Sir Thomas Maitland, the First Governor of Malta, dated the fifth day of October, 1813."—(*Mr. Summers.*)

BRITISH AND FOREIGN SPIRITS.

Ordered, That Mr. Hozier be discharged from the Select Committee on British and Foreign Spirits.

Ordered, That Mr. Vernon be added to the Committee.—(*Mr. Jackson.*)

Mr. W. H. Smith

SUPPLY—CIVIL SERVICE ESTIMATES, 1890-91.

Considered in Committee.

(In the Committee.)

CLASS II.

Motion made, and Question proposed,

"That a sum, not exceeding £29,558, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1891, for the Salaries and Expenses of the Household of the Lord Lieutenant of Ireland, of the Offices of the Chief Secretary in Dublin and London, and of Subordinate Departments."

*(4.50.) THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): On a previous occasion the hon. and learned Member for North Longford (Mr. T. M. Healy) asked me whether it would be possible to put these two Votes separately. The Estimates presented this year reduce the number of Votes by combining a certain number of them together. One of the combined Votes is for the salaries of the Lord Lieutenant and the Chief Secretary. The Estimates were subsequently referred to the Public Accounts Committee, and the Government frankly and completely accepted their recommendations, and, as a consequence, the two Votes now combined will next year be presented separately. It is proposed this year that there shall be no transfer between the two Votes as regards this year's accounts, and, as I have found it is possible to propose the Votes as separate Votes on this occasion, I propose, with the leave of the Committee, to take that course.

(4.53.) MR. T. M. HEALY (Longford, N.): I think it was a strong order for the Treasury to attempt to take the course they sought to take in this matter without any authority or precedent whatsoever. When the Closure was passed, I prophesied that an attempt would be made to extend the operation of the Closure by putting more matter into a clause, but I never dreamed for a moment that the Constitutional Authorites at the Treasury would attempt to dovetail one Vote into another for mere Closure purposes. I stigmatise the attempt made by the Treasury to consolidate these Votes as a most unfortunate one for the Department; and I am very glad to find that, after attention has been publicly

called to the subject, the Treasury have been obliged to recede from their position. But that does not relieve the Treasury from the imputation which they will be under—that they have endeavoured to subordinate for Closure purposes matters of Treasury detail and management. I would advise the Treasury, if they again desire to throw dust in the eyes of the House, to confine that dust to English and Scotch optics, and not to ours.

*MR. JACKSON: It is due to the Treasury, and particularly to the Departmental Treasury, to say that the proposals made were made on the authority of the Government. In framing the proposals no idea of combining Votes for Closure purposes ever entered into their calculation. The hon. and learned Gentleman says there is no authority or precedent for what has been done. I assure him there is both authority and precedent, and what was done was recommended by a Committee.

*SIR U. KAY-SHUTTLEWORTH (Lancashire, Clitheroe): I think the right hon. Gentleman is mistaken in the last sentence which he uttered. What was recommended by the Committee on Estimate Procedure was that the scheme for throwing some of the Votes together should be submitted to the House, not that the Votes should be thrown together and the Estimates introduced in the altered form. I think the right hon. Gentleman has to-day taken a course which was obviously the proper course to follow.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The hon. and learned Member for North Longford has said that a reduction in the number of Votes was suggested by the Treasury for Closure purposes. The reduction in the number of Votes was suggested by the Select Committee.

(5.0.) MR. J. O'CONNOR (Tipperary, S.): I am glad there is a division of the Votes. I do not say that in the present instance the combination would lead to any very great inconvenience, but in the future it might lead to very great inconvenience, indeed. We have now a Chief Secretary who is a very strong man, and we have a Lord Lieutenant who is remarkable only because his title begins with the last letter of the alphabet. But for this fact I do not know that there would be many people here or in Ireland who would remember who the present Lord Lieutenant is. But it may happen in the future that we may have a strong Lord Lieutenant and a mild-mannered gentleman like the Attorney General to represent him in this House, and under such circumstances it might be awkward to have to discuss the two Votes together, for we might find ourselves visiting on the head of the inoffensive Chief Secretary the censure we intended for the Lord Lieutenant.

Motion, by leave, withdrawn.

Motion made, and Question proposed,

"That a sum, not exceeding £3,164, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1891, for the Salaries of the Household of the Lord Lieutenant of Ireland, and other expenses."

(5.2.) MR. T. M. HEALY: I understand there was an intimation at the close of last Session, and it was generally mooted that there was some intention to make a statement as to the continuance of the office of Lord Lieutenant. We heard that a number of Conservative gentlemen, hon. and gallant Members on the other side, Ulster Members of the Conservative Party, intended to make a tremendous onslaught upon this Vote this year.

THE CHAIRMAN: It would be quite outside the scope of this Vote to discuss the salary of the Lord Lieutenant, which, as the hon. and learned Gentleman is aware, is charged upon the Consolidated Fund. This is a Vote for the Household of the Lord Lieutenant. Any question of general constitutional policy in Ireland should be raised on the Chief Secretary's Vote.

MR. T. M. HEALY: Yes, Sir; but I apprehend the expenses of the Household are the consequence of the office of Lord Lieutenant; and if we had no Lord Lieutenant, it naturally follows we should have no Household to provide for; abolish him, and his Household would be abolished. However, Sir, if you can point out the distinction by which we can discuss the propriety of abolishing the Household, and leave the Lord Lieutenant standing, I will endeavour to obey your direction. I will endeavour to narrow my observations within the

sense you have indicated. I will only say, in regard to the expenses of the Household, that we did expect to hear from hon. Members opposite or from the Government some statement expressive of their views as to the continuance of the Lord Lieutenant's Household.

THE CHAIRMAN: Order, order!

MR. T. M. HEALY: That being so, I ask if the Government are now prepared to say whether His Excellency's Household——

THE CHAIRMAN: Order, order! The hon. and learned Gentleman knows that discussion must be confined to the expenses of the Household.

MR. T. M. HEALY: Of course, Sir, if you rule that we must discuss it from an £ s. d. point of view merely, accepting the existence of the Household, I presume it would be impossible now for Her Majesty's Government to make such a statement, though it was mooted abroad that the Government had such an intention.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): No, Sir; I do not propose to make any statement.

(5.6.) MR. MAC NEILL (Donegal, S.): This Vote is an old friend. I am sorry the Financial Secretary is not here, for I was going to ask him a question upon the Estimates; that is, under what head of the Irish Votes an item is included which I thought to have found here, but do not—I mean the Vote for the Ulster King-at-Arms. But I suppose it will turn up ultimately.

MR. A. J. BALFOUR: I do not recollect just now where the item appears. I think in the latter class of Votes.

MR. MAC NEILL: Well, we have the Votes now divided, and have to deal with the Household first, and we find that for servants and keeping up of the Household we are to vote £4,500. I take, first, the Spiritual Department—the Chaplains—and for this alone £789 is expended. That is a very small sum, but it touches a matter of principle; and I should ask to be forgiven perhaps if on a Vote in Supply, I make a personal allusion. As a member of the Irish Church, I do most strongly object to this State support of a chaplain in Dublin Castle. It is the very last relic of an Established Church in Ireland, the last relic of a shameful system which connected the Church with Dublin Castle; and as an earnest member of the Church, I should like to see this last relic of a State Church abolished. If this £789 were taken to-day and thrown into the Thames it would not be less wisely applied. The Chaplain at Dublin Castle is a gentleman whom I know very well, and for whom I have a very great esteem. He has another cure in Dublin. In former times the Dean of the Chapel Royal held the post as a stepping stone to a Bishopric. He had rooms in Dublin Castle; he was a Member of the Viceregal Court; he dined every day with the Lord Lieutenant; he was part of the Household. Under the new system, that is, since the Irish Church Disestablishment, this office, formerly something more than a sinecure, has now become considerably less than a sinecure, and the salary is taken by a gentleman who is rector of St. Andrew's, Dublin. He has £150 a year added to his chaplain's salary. This is an example in a small thing of what is done in greater things. This is an addition in lieu of rooms in the Castle simply because, as the Attorney General for Ireland very well knows, Dr. Nicholson has attached to his rectorate a very fine residence, and, therefore, does not require what were formerly the chaplain's rooms in the Castle, and so the Government give him £150 a year more because he has a residence of his own. Is this not a small example of the heartless, wanton waste and jobbery that run through Irish administration? Money is a thing of relative value, and what £5 is to one man 1d. is to another. We know how the gross amount of taxation weighs heavily upon the poor, and is it not a heartless, wasteful thing to take the public money thus and give it to a gentleman simply because he does not take, because he does not need them, the rooms formerly belonging to the office he holds in Dublin Castle? This chapel in Dublin Castle is not used by the Dublin Court, nor is it a place of worship of popular resort. We have in Dublin an exquisite Cathedral with full choral services—St. Patrick's—and this the Lord Lieutenant attends in the afternoon. In the morning he goes to the chapel at the Hibernian Military School, and within short distances he has churches on all sides. In former days the chapel in the

Castle was frequented by hangers-on to the Court, that dubious class of persons ever on the look-out for an appointment or the means to advance their social position, and these used to visit the chapel for worship or to stare at the Lord Lieutenant; but he does not go there now. This beautiful chapel, for so it is, has been converted into a military chapel, and the Protestant troops in Dublin attend there. The arrangements for conducting State worship have been practically abolished, yet still we have these expenses on the Estimates. Here are expenses for reading clerk, choristers, and boy choristers, and choral services which are absolutely unnecessary. For those Protestants who admire a choral service there are such services at Christ Church and at St. Patrick's Cathedral. This is kept up, I say, as the relic of an old system, and as, I should say, a pernicious system, having regard to the true interest of the Church of which I am a member. With regard to the present holder of the office of chaplain, I say he would have been appointed to a Bishopric long ago under the free election of the Irish Church, but such an appointment is retarded by his connection with Dublin Castle. Only one good sermon, so far as I know, was ever preached in this Chapel Royal, and that was on the occasion when Dean Swift, one of the first chaplains, preached his eloquent sermon on the broomstick. And now, leaving this spiritual provision, I come upon large sums for service and attendance, and a waste of public money. Here are 17 attachés, I may call them, though they have different positions. I recollect a celebrated actor once saying the most difficult thing to do on the stage was to do nothing, but here are 17 supers who perform that difficult task on the Viceregal stage. The right hon. Gentleman the Member for Newcastle in a brilliant speech once said he only knew within his experience five literary men who subsisted upon their pen, but I think he may now add a sixth in the person of the private secretary to the Lord Lieutenant of Ireland. This gentleman draws the handsome income of £829 0s. 8d., and what does he do for it? Since Lord Zetland has been in office, I do not remember a single public letter from him. There have been one or two answers to addresses, and I believe on one occasion Lord Zetland made a speech of three or four minutes' duration, and these may have been prepared by the private secretary; but sure I am that since Lord Zetland was appointed, Mr. John Mulholland, his private secretary, must have received £100 for each letter of a public character he has written. Now, we come to four aides-de-camp at £200 each. Their duties, I believe, consist of standing about in more or less picturesque attitudes on the few occasions when receptions are held at Dublin Castle. They help to give distinction to this vulgar, gingerbread Court. Then follow various other officers. The State Steward—I am sure I do not know what he does. I had an acquaintance with an ex-steward from Dublin Castle under a very different *régime*, and he told me that his duty was to introduce ladies to gentlemen at dances. For this important and delicate duty he is paid £505 19s. 4d. This is very amusing as a farce, but it is very real indeed when we remember that these are items in the heavy taxation of our poorer countrymen. The Comptroller—what does he do? He has a kind of fixed tenure of his office which I believe he has held for 20 years. He pays, I think, the Viceregal Household, and for this he is well paid himself at £413 13s. 4d. Following the catalogue we come upon the Gentleman Usher; what his function is I do not know, except to receive the cards of those who come to leave them. Perhaps the right hon. Gentleman can give us some information, although the right hon. Gentleman himself does not appear at these public receptions, upon which I congratulate him. Next comes a Chamberlain at £200, and then the Master of the Horse. There are no horses, but for the mastery of the pretended horses this official draws £200 a year. Then comes a group of three Gentlemen in Waiting, gentlemen waiting for something to turn up, for some crumbs from the Viceregal table of patronage, some Resident Magistracy, or vacant office; meanwhile, they are solaced with salaries amounting to £443. There are many such gentlemen waiting for what may happen; possibly the right hon. Gentleman himself may be added to the number after the next General Election. Why, if we pursue our investigation, we shall find that this

establishment is merely an asylum, a means of providing pensions for idle, lounging members of the aristocracy. Among others, we find a son of our old friend Mr. Olphert, of Falcarragh, getting £184 12s. 8d. Next passes in review the Surgeon of the Household with £100, an amount which is either too little or too much. If he does anything at all in the way of keeping the Household in health £100 is too little; if he does nothing, which I strongly suspect is the case, then it is too much. Then there are other items which go to make up the gross sum of this waste of public money. A State porter, an old Army pensioner, £61 13s. 3d.; a sergeant of the Riding House £30—the Riding House does not exist. Remember all this expenditure, and more of the same kind, comes from our constituents, and we who know the intense poverty of our people are justified in contesting this waste of money penny by penny. If we can we will prevent this robbery. Here I come to the evidence of a job to which I have before called attention. I have been four years in Parliament, and here is my only legislative achievement. I have succeeded in staying the expenditure of 5s. a day upon a telegraphist at the Viceregal Lodge for doing nothing. The distance between the Viceregal Lodge and Dublin Castle is a mile and a half, and no telegraphic messages are sent from the one to the other. I believe such messages are sent from the Chief Secretary's Lodge during the time the Chief Secretary is there, which may be six or seven weeks during the year. This salary of 5s. a day for every day in the year is now, I see, only to be paid during the lifetime of the present holder of the office; but I say, if the Lord Lieutenant chooses to make provision for the man out of his own extravagant salary, by all means let him do so, but it should not be given at the public expense. I hope we shall not be met with the trite and somewhat absurd statement that if we maintain a Viceregal Court at all, we must pay to keep it up. I am curious to know what defence the right hon. Gentleman can make. It is of no use to tell us these things come down to us an evil legacy from a bad old time. If it be not for public benefit that these men should receive public money for nothing, then we, as Trustees for the public, should do our duty by knocking off these sums; we have no right to say these men shall be gainers at the expense of the country. Unhappily, the Chief Secretary knows very little about Ireland. I sometimes feel irritated at his observations, until I remember that he is simply giving official information. If he examined things for himself, I cannot but think he would come to very different conclusions; but as it is, he simply adopts the statements of interested persons. Why, again, I ask, the payment of £789 for the Chaplains' Department? It is wholly unnecessary. The Lord Lieutenant may be of a very different religion to that of the late Disestablished Church; he may be a Hindoo; he may be anything, or nothing; only he may *not* be a Catholic. It is one of the worst instances in this list of jobs. Under the system of former times the outgoing Lord Lieutenant was, of course, not able to retain these various gentlemen, or the retinue of Dublin Castle, and it was left to his successor to make appointments; but now, under the new *régime*, most of these 17 officials are fixtures, and have retained their appointments through the reigns of several Lords Lieutenant. It is difficult to remove them, but, none the less, it is time these abuses, these mischievous attempts by a sham aristocracy to keep up a shoddy Court, were swept away.

(5.27.) MR. W. REDMOND (Fermanagh, N.): There is one part of the Vote to which my hon. Friend has not given much notice, the salary of the Master of the Horse, who, as a foot-note informs us, also receives £276 a year as the Deputy Ranger of the Curragh of Kildare. I should like to know from the Chief Secretary what are the duties of the Deputy Ranger of the Curragh of Kildare, valued at £276 a year. That which we have had occasion to find fault with in the English Estimates is here repeated—the salaries of officials are divided under different heads, and do not appear in one lump sum. Also, I should like to know what are the duties for which three Gentlemen-in-Waiting receive £443 a year. I appeal with all earnestness to the Government, is it not possible to exercise some authority in these matters? Must all this expenditure go on helping to swell the amount

of taxation, while throughout Ireland we see such evidences of dire distress among the people? It would be much better if the money were spent on some deserving object in Dublin, or other parts of Ireland, instead of in supporting Gentlemen-in-Waiting. What good on earth are the Gentlemen-in-Waiting for? It would take more than three gentlemen, whether in waiting or not, to make Dublin Castle a respectable resort. As to the telegraphist at the Viceregal Lodge, I do not know what his duties are, but the chances are that he earns his £91 a year a great deal better than the Gentleman Usher earns his £200, or the Chamberlain his £200. I think that matter might be arranged by cutting down the salaries of these gentlemen, and thus providing for the telegraphist. Now, the State Steward receives £506 and the Comptroller £414 a year. What do these gentlemen do? Are they entitled to public money on any ground whatever? I do not know what the Chamberlain does; but if you are to have a Chamberlain, surely £200 is a very cheap price. Then there is the Sergeant of the Riding House. Does the Chief Secretary go riding in order to give this official employment in teaching him to ride, or does his private secretary (the Member for Dover) give the Riding Sergeant work to do? Sir, I think that all these offices are useless and ought to be abolished. The Chief Secretary should give us some explanation as to why we are asked to pay £3,875 a year for these useless offices. It is simply a waste of money, and I am sure hon. Members opposite, in their hearts, condemn it. And then I come to the Chaplain's Vote. It is a monstrous thing, in my opinion, that in a country like Ireland, where the great bulk of the people profess the Catholic religion, they should be called upon to maintain an office which no Catholic could ever find it possible to fill. I think the supporters of the Government in Dublin Castle might very well be called upon to provide their own chaplain, for we do not find that people of other religions are ever called upon to pay for a Catholic chaplain. If there is one place that requires purification by prayer or by any other means more than another, I am sure it is Dublin Castle. Still, I do not see why the Roman Catholics of Ireland should be called upon to pay a single sixpence for the purpose of maintaining a chaplain to administer to the religious wants of the Lord Lieutenant. The fact that a Roman Catholic can never hold the office of Lord Lieutenant, and that a priest can never receive this salary, makes the charge grossly unfair, and constitutes a standing and continuous insult to the people of Ireland.

(5.40.) MR. A. J. BALFOUR: I am afraid that I cannot give the House or the Committee any minute information on the various details referred to by hon. Members, or as to the duties of the officials of Dublin Castle. But if you are to have a Lord Lieutenant at a salary which is admittedly inadequate to cover the cost of the functions which have to be performed, I do not think it right that Parliament should complain that part of the cost is borne by the community. I have no doubt that if the Lord Lieutenant could carry out the duties of the office at the expense of £20,000, allowed out of the Consolidated Fund, he would be a great gainer; but knowing what I do of the experience of previous holders of this great office, I can tell the House that they spent a great deal more than this £3,000 charged in the Vote for these posts in excess of the £20,000 which is voted for the office. When you choose to abolish the office of Lord Lieutenant, all the other offices will, of course, disappear with it; but while you retain the Lord Lieutenant, you ought to retain these other officials. With regard to the salary of the Dean of the Chapel Royal, the hon. Member who has just sat down appears to be of the opinion that it is an insult to the Roman Catholics of Ireland that those in authority in Ireland should be Protestants.

MR. W. REDMOND: I must strongly object to the right hon. Gentleman putting that construction on my words. What I said was, that it was an insult to the Catholics that they should be called upon to pay the salary of an office which, under the present law, is impossible for a Catholic ever to fill.

MR. A. J. BALFOUR: I take it the hon. Member's objection is that, in a Roman Catholic country, £700 a year should be paid to a Protestant chaplain.

MR. W. REDMOND: No; my point is, that in a country which is largely Roman Catholic, it is wrong to make the

people support an office which cannot be occupied by one of their own religion.

MR. A. J. BALFOUR: I suppose the hon. Member does not object to the present holder of the office?

MR. W. REDMOND: Certainly not.

MR. A. J. BALFOUR: I understand. I will not now go into the question whether or not the office of Lord Lieutenant should be abolished, but, in regard to the post of chaplain, I may remind the Committee that whatever view they take of the propriety of retaining the office, it is held for life, and therefore the money must be paid under any circumstances, for the honour of Parliament is pledged to the holder so long as he chooses to retain the appointment.

(5.43.) MR. DILLON (Mayo, E.): I understand the Chief Secretary to justify these charges on the ground that the salary of the Lord Lieutenant is insufficient to maintain the dignity of the office. That is a view which I cannot accept. The salary is, I believe, £20,000 a year, and I ask, is it not an outrage on common sense to tell us that the Lord Lieutenant, who keeps up this petty, contemptible, wretched travesty of a Court in a city which, under the present *régime*, has been reduced to the condition of a fourth-rate provincial town, cannot do it at a salary which is double that paid to the President of the United States, who rules over 63,000,000 of people. Nothing more grotesque could be imagined. When Abraham Lincoln ruled America he had a salary of $25,000, or £5,000, and it is ridiculous to say that the Lord Lieutenant of Ireland cannot keep up his office on £20,000 without these Supplementary Votes. If that is the only argument the Chief Secretary can bring forward, it is a very poor defence. Now, let us look at the details of this Vote. We find that many of the officers are paid large salaries for doing absolutely nothing. I do protest against the assumption of the Chief Secretary that we are bound to vote blindfold large salaries out of the pockets of the taxpayers for sinecure offices. He came down to this discussion forewarned that he would be called on to defend the Vote on its merits. Yet, what was his answer? It was, "I am not able to give information as to the duties of these officials." That means that he will not take the trouble to inform himself on these points, although he knows that, as the responsible Minister of the Crown, it is his duty to defend the Votes. That is the way in which we are met. The right hon. Gentleman rose from his seat slowly and with infinite grace and announced that his duties would not allow him to examine into the details of this matter. I do not know what his duties are; but some people say that they consist of reading French novels, on which he is one of the greatest authorities. The truth is, however, that the right hon. Gentleman knows perfectly well that there are no details to be inquired into, and that these officials have no duties to perform. All they have to do is to dress themselves in lace and silk stockings and parade about on absurd occasions when ladies are admitted to the Castle. Now, take the case of the State Steward. He receives £506 a year. I am told that his business is to introduce ladies and gentlemen when entertainments are given at Dublin Castle, and to decide who shall go into dinner first. Is it not an outrageous thing that this House should be called on to pay £506 of the taxpayers' money to a gentleman whose onerous duty it is to decide who shall have precedence in going in to dinner. I say that people do not care three farthings who goes in first or last, and the ladies and gentlemen who honour Dublin Castle by their presence ought to be left to settle the matter of precedence amongst themselves. Can the Chief Secretary name any other duty which the State Steward is called upon to perform? If he cannot, then I call on him to strike that Vote out of the Estimates. The next Vote is for four aides-de-camp to the Lord Lieutenant. These are four young gentlemen whose only duty is to dance with young ladies at Dublin Castle balls. Are we to pay military gentlemen for doing that which they should be glad enough to do for nothing? I never heard of a young officer requiring £200 a year as an inducement to dance with young ladies. The next Vote to which I have to call attention is that of £829 for the salary of the private secretary to the Lord Lieutenant. This question has been brought before the House over and over again, and in the whole of the Estimates no more disgraceful or scandalous piece of jobbery is to

be found. In many of the permanent Departments of the Civil Service may be found highly-trained and valuable officials, who for years have laboured skilfully in the service of their country, and would be only too glad to get a salary like this, yet here we have an utterly untrained man chosen for this appointment. It is notorious that Mr. Mulhall has had no training of any kind whatsoever, and any ordinary ornamental young man would deem himself extremely lucky to get a salary of £200 a year and his board for performing the duties of this office. It is, I repeat, a gross and monstrous job. Now, what are the duties of this private secretary? We are told that his business is to write invitations to balls, dinners, and suppers at Dublin Castle. Surely that does not justify the payment of a salary of £829 a year. If the Lord Lieutenant, with his salary of £20,000 a year and all these hangers-on, cannot write his own letters, he had better pay his private secretary out of his own pocket, for the taxpayers of England certainly ought not to be called on to pay £829 a year to a young gentleman whose only duty, besides dining with the Lord Lieutenant, is to fill in printed cards of invitation, address the envelopes, and paste on the stamps. I would therefore suggest that the Chief Secretary should hand over his coal allowance of £400 a year to his chief private secretary. I am sure Mr. John Mulhall will have every reason to be gratified. Then there are two other items on which we are entitled to an explanation. First, "Telegraphist, 5s. a day," a charge which expires with his life. I always find that where salaries are for life, the recipient goes on living for ever. Why is this telegraphist at the Viceregal Lodge? I could understand the need of a telegraphist for the monstrous use which is made of the wires in the work of spying all over the country. But why should there be a special telegraphist dancing attendance on the Lord Lieutenant? I cannot see any object at all, unless it be, as we know the Viceroy is a horsey man, that he has to send telegrams in respect of horse races. But Lord Zetland should pay for his own racing telegrams, and I protest against it. The Castle of Dublin is provided with a staff of telegraphists; all the business is done by that staff. If the Lord Lieutenant, his weary round of labours over, retires to the rural delights of Phœnix Park, and he wants to arrange his betting, let him pay for the telegraphists out of his own private resources. There is one other item I desire explained. I refer to the chaplain at Dublin Castle. It is an absurd and monstrous provision. It is a remnant of the old intolerance; and we had a recent example of the monstrous absurdity to which this gives rise. Although the Lord Lieutenant must not be a Roman Catholic, yet he may be a Presbyterian; and we had the grotesque spectacle of a Presbyterian Lord Lieutenant, who was unable to receive the ministration of the Church of Ireland clergyman who was chaplain. I want the Chief Secretary to get up and tell us in a businesslike way what the private secretary does and why he is paid a large salary; why these four aides-de-camp each receive £200 a year; what the Comptroller does; and, if the Lord Lieutenant has a Chamberlain, Master of the Horse, and Gentlemen-in-Waiting, what does he want with State Stewards? These three gentlemen are not required for deciding questions of precedence in going into dinner, and so on. I hope the Chief Secretary will get up and explain what these officers do. If he does not, I think we are entitled, in the interests of the taxpayers of this country, to divide the Committee against every single Vote.

(6.5.) MR. T. M. HEALY: It is very painful to me to hear all these attacks upon the Lord Lieutenant. I think I shall save the Chief Secretary trouble if I give a general defence for the existence of the Lord Lieutenant's Household. First of all, I will take the salary of the private secretary. Now, my hon. Friend says that Mr. John Mulhall is getting a larger salary, when a smaller one would do. But, no doubt, the private secretary to the present Lord Lieutenant and to the late Lord Lieutenant, the Marquess of Londonderry, has something to do. We know that the private secretary to these noblemen must have some allowance made for his feelings. I observe the hon. Member for Dover opposite. He is private secretary to the Chief Secretary—an intellectual man—he gets nothing. I have examined the Votes, and there is no charge whatever for the extraordinary

services of the hon. Member for Dover. He takes a pleasure in the work, and perhaps the reason of it is that he often gets his name published in the newspapers. I have often wondered to myself whether the hon. Member for Dover is private secretary to the Chief Secretary or the Chief Secretary is private secretary to the Member for Dover. Then, again, Mr. John Mulhall, it must be remembered, is a barrister, and he has to advise Lord Zetland of the legal competence of Irish Resident Magistrates. It will be seen at once that Mr. Mulhall has a number of very important duties. Knowing how difficult it is to get Irish barristers into the service of the State, unless a sufficiently tempting and adequate salary is offered, I must say it is something to get a barrister for £829 0s. 8d. a year. I admire the 8d., and it shows that Mr. Mulhall is ready to maintain the reputation of the Irish Bar down to 8d. Then the aides-de-camp. On what ground are these gentlemen attacked? It is said that they do nothing but dance attendance on the Viceregal Household. It is a very dull place for these English gentlemen to spend their time in, and why on earth should they not have some salary. The Chief Secretary, who has £400 a year for coals, never goes to Ireland. Is it to be tolerated that these four aides-de-camp should not get each £200 a year for living in that country? I say they are dirt cheap to the State. Then we have the State Stewards. I do not know what they do. I have read about stewards in the Bible; but what the State Stewards do is a question on which, no doubt, the Chief Secretary will illuminate us. For my part, I could not for a moment attempt to decide why they should not get £413 19s. 4d. There is the Comptroller. I must say nobody wants more controlling than the Lord Lieutenant. It is a most admirable office; and if the Lord Lieutenant had not a Comptroller, there is no knowing what would happen to the British Constitution. Master of the Horse. That I can quite understand, because the Lord Lieutenant has no horses to be master of. I say to the Radicals of the country, that when they have got the Lord Lieutenant and his Household, they must be prepared to pay for them. Do not attack these miserable details. Let us address ourselves to these questions in a large and becoming spirit. It is unworthy of this House that these niggling comments should be made upon such an office as the Master of the Horse. I must say, Mr. Courtney, that so long as the Lord Lieutenancy exists, so long, I hope, we will register no opposition to the Master of the Horse. But, Sir, something must be said of the Sergeant of the Riding House. All these are absolutely indispensably requisite to his position. From my knowledge of the Lord Lieutenant, and the large acquaintance I possess among these persons, it would be wholly impossible to maintain the dignity of the office if these adjuncts were not maintained. Then I come to the Chaplain of Dublin Castle, and I would ask, does any Institution stand more in need of such a functionary? He reads prayers daily at an expense of £184 12s. 8d. per annum, and yet we are asked to vote against his salary. Beyond this there is the cost of the telegraphist, who receives 5s. per day. Well, Sir, I say let us cut that off. I am prepared to cut down the expenditure of the Lord Lieutenant by 5s. per day, but when I am asked to abolish the other officers necessary to the dignity of that official, every feeling that is loyal and legitimate in my nature revolts against the proposal. This 5s. a day may seem a small matter; but I say it is not a small matter; and if any Radical in this House ventures to move its reduction, I shall vote with him against that payment.

(6 18.) MR. A. J. BALFOUR: Hon. Members opposite have spent a considerable portion of the evening in a discussion which may be very agreeable and entertaining to them, but which can hardly be said to relate to matters of importance as affecting Ireland. In regard to what has been said as to the Private Secretary to the Lord Lieutenant, I can assure the House that the Lord Lieutenant has an enormous and very confidential correspondence, and it would be impossible to obtain a competent gentleman to deal with correspondence of that character by merely going into the market and engaging the first person who undertakes to give his services. When a comparison is drawn between the salary given to the Lord Lieutenant's secretary and that of a permanent Civil servant, it should be remembered that the appointment of the

Lord Lieutenant's secretary is only temporary, and that, unlike the permanent Civil servant, he knows that his tenure of office will end with the tenure of the Lord Lieutenant himself, and that he has no claim to pension. Under these circumstances, I think the arguments used on this subject fall entirely to the ground. I hope the Committee will now come to a decision on this Vote, and that we may be allowed to proceed to matters of rather more importance.

(6.20.) MR. W. REDMOND: The right hon. Gentleman has altogether failed to answer the direct inquiry put to him as to what are the duties of these officers of the Lord Lieutenant's Household. The right hon. Gentleman in his first speech told us he was not in a position to inform us as to the duties of the members of the Lord Lieutenant's Household.

MR. A. J. BALFOUR: I said I was not in a position to explain the minute details.

MR. W. REDMOND: We do not ask the right hon. Gentleman for minute details. All we have asked is that the right hon. Gentleman should state broadly what these officers do, and the right hon. Gentleman has not pointed out a single duty performed by either of these persons. He has told us, however, that we should commence by attacking the office of the Lord Lieutenant himself; but the right hon. Gentleman knows very well that if he were to attempt to discuss the Lord Lieutenant's office, you, Sir, would rule us to be out of order; consequently, we are compelled to draw attention simply to the Household of the Lord Lieutenant. The right hon. Gentleman is evidently in absolute ignorance of the duties performed by those functionaries; he has made some attempt to give an account of the duties of the secretary to the Lord Lieutenant, but he has not told us what the steward and the other officers do for the salaries which are here set down. It is an exceedingly cool proposition to expect this Committee to pass this Vote without the slightest inkling as to what these persons do for the money which is paid. Take the case of the Master of the Horse. He receives a salary of £200 a year; but, in addition to this, he has a further salary of £276 a year as the Deputy Ranger of the Curragh of Kildare. Even if this were not a question of £276 added to £200 a year, natural curiosity would prompt us to inquire who and what is the Deputy Ranger of the Curragh of Kildare, and I think we are entitled to that information. If the right hon. Gentleman does not know himself, he might inquire through his private secretaries. The right hon. Gentleman's chief private secretary has spent some time in Dublin Castle, and surely ought to be in a position to tell us what is done by the three Gentlemen in Waiting in order to earn the money they receive. He ought to be able to tell us what are the duties of the State Steward and the Controller, and also of the Gentleman Usher, who is in receipt of £200 a year. But the right hon. Gentleman gets up, and, with an obvious affectation of seriousness, tells us we are not entitled to occupy the time of the Committee now, because the Vote does not relate to any serious important matter, such as will arise, no doubt, on the question of his own salary. This may be true; but, at the same time, the Vote is one of close upon £3,800 a year, and, therefore, it is not a trivial matter. We find that not only do some of these gentlemen receive salaries set down in this Vote; but, by a note at the bottom of the page, we find that they are also receiving salaries for fulfilling other offices in different parts of Ireland. How can the right hon. Gentleman expect the Committee to arrive at a correct conclusion as to the fitness of the salary given to the Master of the Horse when we find that he is receiving another salary as Deputy Ranger of the Curragh of Kildare?

THE CHAIRMAN: Order, order! I must point out to the hon. Member that the question at issue with regard to the Master of the Horse has reference only to his salary of £200 a year. The other question is not raised by this Vote.

MR. W. REDMOND: I quite see the force of your interposition, Mr. Courtney, but I apprehend that there must be some connection between the two payments. However, when the proper time arrives, I will ask the right hon. Gentleman to tell us what are the duties of the Deputy Ranger of the Curragh of Kildare. At present I only desire to know the duties of the officers of the Lord Lieutenant's household. We are bound to go to a Division in order to express our view as to the maintenance of

these apparently useless offices. We are bound to do this in the interests of the unfortunate taxpayers, not only of Ireland but of England and Scotland, who have to provide the means of maintaining these useless appointments.

(6.25.) MR. DILLON: I rise to move the reduction of this Vote by the sum of £3,000, in order that the opinion of the Committee may be taken upon this question. The right hon. Gentleman the Chief Secretary has stated that we are wasting time in a discussion of an insignificant Vote. If time is being wasted it is simply because our criticism of the Vote has been met in a manner which is, at any rate, very unusual in this House. Here are a number of items which have been challenged in Committee, year after year, and I ask any Conservative or Liberal Independent Member to compare the way we are treated in regard to these Votes with the way the Secretary to the Treasury meets points that are raised in the Votes which are under his charge. I have never known the Secretary to the Treasury, political opponent of ours as he is, fail to go into the most minute detail on any question raised on a Vote; but here, when criticisms are offered, the right hon. Gentleman deliberately refuses to give us any information on any detail in the Vote, and rides off on the plea, "I have not got sufficient time to acquaint myself with the details of the matter." Therefore, if there is waste of time in Committee, the blame must rest entirely on the shoulders of the gentleman who expects us to take Votes in this way. The only case in which the right hon. Gentleman attempted to give anything in the shape of an answer was in regard to the Private Secretary to the Lord Lieutenant. He said this gentleman had an immense mass of confidential correspondence to deal with, and that, therefore, we got full value for his salary. But I would point out that the whole of the work of the Government of Ireland is done through the Irish Office and the Castle. Then what can be the nature of this confidential correspondence? A lot of it is correspondence about betting, or has to do with the private affairs of Lord Zetland, and it is not for this House to pay a secretary to attend to it. If Lord Zetland's private correspondence is large, and his betting transactions are considerable, he should pay out of his own pocket the salary of the private secretary who attends to such matters. But, as I say, whatever time is occupied with these Votes, the Chief Secretary, whose duty it is to know all about these things, comes down here and calls on the House to vote a sum of £3,164, without giving us the slightest information as to the duties of the officials.

Motion made, and Question proposed, "That Item A, Salaries, Lord Lieutenant's Household, be reduced by the sum of £3,000."—(*Mr. Dillon.*)

(6.35.) DR. TANNER (Cork Co., Mid): Before we proceed to divide on the question I would point out to the Chief Secretary that most of these aides-de-camp are military men drawing full pay all the time they are absent from their regiments. Many of these gentlemen belong to cavalry regiments, and have fair private means of their own, and they look forward to positions of this kind without the slightest regard to this beggarly £200 a-year. They enjoy the *kudos* of being appointed to this honorary position. They act as dancing men, in every sense of the word, attending all the Viceregal entertainments. Their salaries, it seems to me, if the Chief Secretary would look upon the matter in a business-like and conciliatory spirit, might easily be dispensed with. Why is not this economy effected? Merely because these salaries were granted years ago, and the right hon. Gentleman, as a member of the Conservative Government, desires to preserve the salaries of others, as he desires to preserve his own. I would point out that the surgeon to the Household receives only £100 a year, though he has to look after a great many people. He has to maintain a high position, yet he only gets £100 a year, while these dancing military men get £200 a year each. Then, the Master of Horse—than whom there is no more courteous gentleman in connection with Dublin Castle, and who is well known to many hon. Members—has nothing to do but, on certain occasions, choose the horses for the Viceregal equipages. That is not a very onerous duty. The gallant Colonel is a permanent official. Like the Vicar of Bray, no matter what Government comes or goes he still remains Master of the Horse, and if the

question is put to him whether he desires to see this controversy year after year on this useless Vote, I am sure he will say he does not want the money, and will be very happy to fulfil his functions without payment. There is an item of £200 for a Chamberlain, and it seems to me absurd that you should pay that amount, when the surgeon only gets £100. Why, the telegraphist at the Castle only receives £9 a year less than the surgeon, a thing which is absurd on the face of it. I am sure that the Chief Secretary will see that some explanation is due to us in regard to these matters, and that he will deal with such Votes in a dignified, steady, and righteous manner.

*(6.41.) MR. MORTON (Peterborough): I desire to support this Amendment as a Representative of an English constituency. I think this charge is simply plundering the English and Scottish taxpayers. There may be some use for the private secretary and telegraphist, but the amount which it is proposed to leave will be ample for them. It seems to me extraordinary that we should pay for the objects set forth in this Vote four times as much for Ireland as we pay for Scotland.

THE CHAIRMAN: This Vote has been divided into two parts, and we are now dealing with the first portion.

*MR. MORTON: We must bear in mind that there is no occasion at all for State in Ireland. The people do not want it; and it must be a sham and a farce. If the Queen or the members of the Royal Family were in the habit of residing in Ireland, I could understand that there was some excuse for the Vote, though, in another way, it would be bad even then; but, at present, so far as we have any evidence, there is no occasion for this money being spent in any shape or form whatever. I hold, therefore, that for us to vote this money is to deliberately waste it. I hope the Committee will reduce the Vote.

(6.45.) MR. BLANE (Armagh, S.): I fail to see why this House should vote money for a surgeon to the Lord Lieutenant. If with £20,000 a year the Lord Lieutenant cannot pay his own surgeon's bill—as we Members of this House have to do—there is a law which the Torty Party are constantly quoting, namely, 1st and 2nd Vic., Chap. 26, by aid of which the noble Lord can obtain relief. He can go to the South Dublin Union Dispensary and get attended to; but why he should come here for assistance of this kind I cannot make out. I find there are two Gentlemen in Waiting charged for, one at a salary of £184, and the other at a salary of £58. The reason one of these has got his post is because he is the son of Mr. Olphert, of Donegal. When I went down to Donegal this very Gentleman in Waiting had an interview with the Lord Lieutenant, and got me four months imprisonment, my sentence being doubled on appeal.

(6.47.) Mr. AIRD rose in his place, and claimed to move "That the Question be now put," but the CHAIRMAN withheld his assent, and declined then to put that Question.

Debate resumed.

MR. BLANE: The Chief Secretary does not tell us the use of these men, or give us an intelligible explanation of the Vote, and, therefore, I say that we are justified in resisting it. It seems to me that the Lord Lieutenant should be able to meet all these charges out of his £20,000 a year, and that, in respect of them, no call should be made on the general taxpayers, most of whom are poor men, who have to pay to the Treasury on every smoke of the pipe they take, and every cup of tea, coffee, or cocoa they drink.

(6.48.) MR. DILLON: I feel compelled to say, Sir, that the proceedings on the opposite side of the House are not such as are calculated to facilitate discussion. I never, in the whole course of my experience in Committee in this House, witnessed such a method of attempting to carry the Estimates as that adopted by the Chief Secretary to-day. We are accused of wasting time, but I will undertake to say that no English Vote was ever attempted to be carried through Committee in the way these are attempted to be carried through. The Chief Secretary has not endeavoured to offer the slightest justification for the Vote, and then, whilst we are trying to extract some explanation from him, one of his supporters gets up and moves that the question be now put. Surely some intelligent Member of the Party opposite will shortly rise and move that the

whole of the Irish Estimates be carried forthwith. Let the hon. Member opposite give some intelligent indication that he understands the matters we are discussing before he tries to stop the Debate.

(6.50.) MR. A. J. BALFOUR: I would point out that on the Irish Estimates, as Irishmen themselves have often said, there arise great controversies on matters connected with the Government of Ireland. I am most anxious that the Committee should discuss those great controversial questions which come up upon the Irish Estimates, but we have now had two and a half hours of a discussion upon questions which cannot be regarded as of first, or even secondary, importance. The hon. Member for Mayo has accused the Government of declining to give information. I have not declined to give information. I have discussed many details with regard to the Vote, and if I have not gone into detail upon the duties of the various officials, the Committee will see that to attempt to discuss such questions in detail must be unsatisfactory in a high degree. If we require a Lord Lieutenant, and one who has to pay more than his salary—for that is what it really comes to—I maintain that it is not important to discuss what precise distinction there may be between the duties of a Chamberlain and those of an Equerry. There is no Court in which there are not similar functionaries; the salaries are not excessive, and far less than those which used to be paid. These have been discussed over and over again in this House, and I would again respectfully urge the Committee not to peddle with these twopenny-half-penny questions, but to decide at once the question of whether there should be a Lord Lieutenant or not.

(6.54.) MR. J. O'CONNOR: I would remind the right hon. Gentleman that they were not twopenny-half-penny which were raised in Committee on Monday and Tuesday night. The right hon. Gentleman has given us another proof of his great cleverness in evading the real question, and turning aside the whole course of the Debate. We maintain that the offices for which these charges are made are not real offices. There is no real office of Master of the Horse, as there are no horses to master; there is no office of Equerry, as there are no horses to ride. If we object to this Vote it is because these offices are unreal, and because we want to put an end to shams. We move a reduction of the Vote, and at once an hon. Member on the opposite side rises and moves that the question be now put. I was at that hon. Member's election. I have never heard him make a speech——

THE CHAIRMAN: Order, order! The hon. Member must confine himself to the Question before the Committee.

MR. J. O'CONNOR: The question, "That the Question be now put," was raised.

THE CHAIRMAN: Order, order!

MR. J. O'CONNOR: Then I will only say I object to this item for a Private Secretary to the Lord Lieutenant. If the Lord Lieutenant were such an one as we had prior to 1886—a Member of the Cabinet and a distinguished statesman—one could understand the necessity for a Private Secretary, but we cannot in the case of a man whose only claim to distinction is that his name begins with a Z. The secretaries to the Chief Secretary deserve to to be on the Vote, if they are not, for we get information from them. They enlighten the House. But that cannot be said of the officials under this Vote, whose functions the Chief Secretary declines to explain. We in Ireland are not opposed to institutions like the establishment of the Lord Lieutenant. I should have no objection myself, under more propitious auspices, to be conducted to the State ballroom by an aide-de-camp. We do not object to the pomp of State, but we want the offices to be real. They are not real, and, for that reason, I feel it my duty to support the Amendment.

(7.0.) The Committee divided:—Ayes 156; Noes 202,—(Div. List, No. 183.)

Original Question again proposed.

(7.15.) DR. TANNER: We now pass to sub-head (*b*), and I want to call the attention of the right hon. Gentleman to one item under the sub-head. It is a very small matter, but I trust the Chief Secretary will vouchsafe us some reply. I see that £100 is set down for incidental expenses. The same sum was taken last year. How comes it to pass that in these wonderfully well paid offices a sum is

provided every year for incidental expenses? What is the £100 for?

(7.16.) MR. A. J. BALFOUR: I understand that the incidental expenses are principally connected with travelling by Members of the Lord Lieutenant's household upon matters of public importance, and also with the supply of newspapers, and the like. The sum is less than it was some years ago; it has remained at the present figure for the last two years.

DR. TANNER: £100 for newspapers is a large sum. To whom are the newspapers supplied? Is it to the Lord Lieutenant or to individual members of the staff? We know that the Chief Secretary, a gentleman of great literary culture, objects to newspapers; he never reads them. Let us receive some enlightenment on this matter, small as it is. It certainly would save a great deal of time if the particulars were given in the Estimates themselves. To whom are the newspapers supplied?

MR. A. J. BALFOUR: To the Lord Lieutenant and the Lord Lieutenant's household.

MR. E. HARRINGTON (Kerry, W.): I wish to raise the question of the distribution of the Queen's plate, but am not sure whether I can do so in this Vote.

MR. A. J. BALFOUR: That will come up in a later Vote.

(7.20.) DR. TANNER: We now come to the question of the chaplaincy to the Castle. It seems to me extraordinary that a clergyman of the Disestablished Episcopal Church in Ireland should occupy the position of chaplain. I should have thought that when the Church was disestablished, this office, this ridiculous sinecure would have been done away with. The chaplain has very few duties to perform; indeed, most of the members of the Lord Lieutenant's Household take a great interest in receiving, and very little in praying. Surely it is time this solemn farce was stopped. The chaplain gets a very good sum of money. He has an allowance of £184 12s. 8d. a year, and an allowance in lieu of furnished house of £150. Speaking as a Protestant, I think it would be to the benefit of all parties if this solemn farce should be abolished. I know the chaplain is a very learned and a capable gentleman, and I have no doubt he feels very deeply the absurdity of his position. I hope the Chief Secretary will see his way to at all events make some inquiry in the matter. In the meantime, I beg to move the reduction of the Vote by the sum of £335.

Motion made, and Question proposed, "That Item C be reduced by the sum of £335 (the salary of the Chaplain of Dublin Castle."—(*Dr. Tanner.*)

(7.25.) MR. J. O'CONNOR: I trust my hon. Friend will not persist with this Motion. We have now passed the Vote for the Lord Lieutenant's Household, which includes many gentlemen who must necessarily belong to the Protestant Church. While the House of Commons maintains these gentlemen in their offices it is only right and proper the House should provide for their religious observances. It has been the custom of the Committee to provide for these requirements in the past, and I trust that under present circumstances the Committee will not find it necessary to depart from that custom. I appeal to my hon. Friend to withdraw his Motion, and allow us to preceed to more serious matter.

(7.26.) DR. TANNER: Apparently my hon. Friend does not see the importance of this matter. You have surrounded the Lord Lieutenant with at least five or six Protestant Churches, and if these gentlemen are desirous of going to Church there is no reason why they should not walk about 300 yards to Christ Church or a few steps further in another direction to St. Andrew's. The Chapel Royal is scarcely attended by anybody except the dearly beloved clerk. I went there on two occasions many years ago, and I was struck by the paucity of the attendance. The Protestants of Ireland know this is a solemn farce, and would be glad to see it stopped. I sincerely hope a decision will be taken upon this point.

*(7.28.) MR. MORTON: I must support the proposed reduction unless we get some explanation. Up to the present the Chief Secretary has not given us any explanation. Why should not the gentlemen connected with the Castle pay pew rents like other people? I certainly do not see why we in England should be called upon to pay for such expenses as these. I trust we shall

have the courage to reduce this Vote. I entirely object to the speech the Chief Secretary delivered just now. He said, "Vote this money and let us get on to what is political matter." As I understand we have been discussing these votes as a matter of business. We are trying to study economy, trying to do away with what is absolutely useless expenditure. I have great pleasure in supporting the reduction.

Question put, and negatived.

Original Question put, and agreed to.

Motion made, and Question proposed,

"That a sum, not exceeding £26,394, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1891, for the Salaries and Expenses of the Offices of the Chief Secretary to the Lord Lieutenant of Ireland in Dublin and London, and subordinate Departments."

(7.33.) MR. W. O'BRIEN (Cork, N.E.): I beg to move the reduction of the Vote by £4,425, the amount of the salary of the Chief Secretary. It is a little outrageous, perhaps, but I think nobody can have failed to notice a certain change of demeanour on the part of the Chief Secretary towards Irish Members. The right hon. Gentleman seems lately to have developed some spirit of courtesy, and even of blandishment, towards some at least of the criminal conspirators sitting on these Benches. Now, this would be very gratifying, and we should all, I think, be very glad to reciprocate it if, with the altered manner towards Irish Members in this House, there was any indication of a change in the treatment of the people of Ireland. We should be very much more impressed with the right hon. Gentleman's somewhat new-born courtesy towards Representatives of the people here, if it were accompanied with some consideration shown to an unfortunate newspaper editor in Ireland, who is now picking oakum among thieves in Tullamore Gaol; or for another gentleman who is lying on a plank bed in Cork Gaol to-night for protecting Protestant tenants. Let the right hon. Gentleman display his change of demeanour towards Mr. Tom Barry, a man of great influence, and held in much respect in the South of Ireland, who, a few days ago, was dragged handcuffed, without reason, through his own town of Mallow. I would advise the right hon. Gentleman to instruct Colonel Caddell to change his manner towards the people of Tipperary, and not to use filthy language towards a young woman in custody of his police, not to stick out his tongue at a clergyman, and proclaim his triumph at the grave of a Nationalist. These and many more such things we cannot help remembering, they are burned in upon our hearts, and we cannot help remembering that if the Chief Secretary has adopted a somewhat subdued tone towards Irish Members in the House, that happens after he has discovered that his other and original policy of insult and violence towards the Representatives of the Irish people did not commend itself to the constituencies of Great Britain quite so enthusiastically as he concluded it would. The right hon. Gentleman began with a very different sort of programme towards the Irish Members. We can hardly forget my hon. Friend the Member for North Monaghan (Mr. P. O'Brien) stretched in the street at Cork by my side with two frightful gashes in his head, his life hanging in the balance for a couple of weeks afterwards. We cannot forget the personal violence inflicted upon my hon. Friends the Members for South-East Tipperary and Mid Cork, while the man who ordered these attacks, instead of being brought to trial and sent to prison, is promoted to the post of County Inspector. Most fortunate—for those were the early days of coercion, "when the bloom was on the rye" it is pretty well off now—for us, the British constituencies, at bye-elections, rather moderated the enthusiasm of the right hon. Gentleman for gibing and coercion. I really think that every brilliant gibe of his must have cost his Party a seat in this House. It is pretty plain that he is a gentleman who can be improved by a little wholesome thrashing. We do not hear so much of the expressions of delight at the progress of his administration in Ireland. Only the other night, in a spirit of meekness and humility, he confessed that when two years ago he boasted in this House to the British public that the National League in suppressed districts was a thing of the past, he only spoke in reference to what he desired.

MR. A. J. BALFOUR: The hon. Gentleman is entirely mistaken, as he will see on reference to the report of what I said in answer to a question in reference to attendance at suppressed meetings.

MR. W. O'BRIEN: I have not the slightest desire to misrepresent the right hon. Gentleman, but does he now say that the National League in suppressed districts is a thing of the past?

MR. A. J. BALFOUR: Certainly.

MR. W. O'BRIEN: Do I understand him to deny what he so piteously complained of the other night in this House, that he, with all his force in Tipperary, can make no headway against the power of the National League? Does he deny the Report cited in the House, that, at the last meeting held under the nose of his 130 policemen, in Tipperary, the three last adherents of Mr. Smith-Barry made their submission to the National League? I gave him credit for better things. Facts are too strong for him. There is no getting over the fact that, instead of crippling the power of the League, his Administration has increased the contributions to its resources until they exceed the contributions of half a century before to the national cause. He will find it hard to get out of the fact that, in six bye-elections in different parts of Ireland, not a single Representative of the Party opposite dared to put in an appearance, and three of these elections were in the province of Ulster, and one of the constituences was sacred by the residence of the hon. Member for Mid Armagh. I must say I had thought the right hon. Gentleman had changed his old tone of boasting. It seemed to me his speech on the Constabulary Vote if it meant anything was really a piteous appeal, a lament that he had been utterly foiled and was helpless against the irresistible power of the League in Tipperary and elsewhere. Though he has 130 police and nearly 700 soldiers massed in that one small town, he cannot point to a single officer of the law injured in the struggle. The worst crime he can inpute to the people of Tipperary is that they insist that men shall choose their sides, that they shall throw in their fortunes with Mr. Smith-Barry if they love him, and have confidence in him, or with the people whom Mr. Smith-Barry has wantonly, wickedly endeavoured to exterminate. Whether there is any change or not in the tone of the right hon. Gentleman in this House, at all events there is a change of tactics rather than a change of administration in Ireland. The right hon. Gentleman has learned to conduct his operations in such a way that they do not attract attention in England, and they make no sensational appearance in the English Press. He fights pretty shy now of eviction campaigns, such as those carried out at Glenbeigh, Bodyke, and elsewhere. He conducts evictions now by surprise in half dozens. He takes care to provoke no more quarrels with prisoners in gaols. He takes care to have no more English visitors attacked and flung off platforms, as Mr. Wilfrid Blunt and Lady Ann Blunt were flung off the platform at Woodford. He hides his hand now, and carries out his operations stealthily, silently, and slowly; the work of clearing estates is carried on without attracting notice in England. This was done last year, when the backs of English visitors were turned, with little excitement, and little to attract English attention. The Chief Secretary is very fond of sneering at the English visitors to Ireland; but he himself once invited English visits to Ireland. He was not quite so ardent in pressing his invitation when it was suggested that English visitors might take the form of a Committee of this House, to investigate facts, and show the slanderous nature of the charges made against the people of Tipperary in this House. The right hon. Gentleman is never tired of jibing at English visitors to Ireland who happen to go and see for themselves; but, I venture to say, these English visitors have done more for the tranquility of Ireland, and for the permanent unity of the Empire, considerably more, than he has done with all the bayonets and coercion at his command. What is more, although he affects to sneer at these men, and the want of effect of their speeches compared with those of Irish Members, I venture to say he knows in his heart that these men are very much more formidable adversaries to his Party and Administration than we are, and this he has discovered from the results of the bye elections in this country. These men have, for them-

selves, examined the daily work of coercion, the only way to learn what is going on in Ireland under the present Administration. These men can tell their countrymen, from actual knowledge, the hardships of the Irish people, not in single instances, but in daily life. They can tell how clergymen and principal men in various districts in Ireland are hunted about the country by the police like thieves, under the suspicion that they intend to hold meetings. The persecution is well-nigh incredible to the English people. It astounds me to hear the Chief Secretary talk of intimidation by the people, and the sufferings they inflict. Why, they are the most marvellous people in the world, that, year after year, they have borne this system of cruelty and violent persecution at the hands of the myrmidons of the right hon. Gentleman. These things the English people now know from their own Representatives. It is as well to know in every constituency in England how, in the struggle between landlord and tenant, the dice are loaded against the unfortunate tenants, and every combination of landlords and English capitalists, many of them like those who back Mr. Smith-Barry, is petted and supported by the whole power of the Executive, at the expense of the British taxpayer, while the forces of the Crown are used, and the most desperate attempts are made, to terrorise the people and break down the combinations, so that many of them day and night are in constant dread of the visit of the Sheriff to confiscate their property, or the police to arrest them. Look at the state of things in the City of Cork. We dare not go there, because the people would assemble to greet us, and we know that from some dark ambush a gang of police would sally out and commence a savage bludgeon attack. We have seen, in the streets of Tralee, how the silent rising of the hat may subject a man to such treatment. This is how coercion works in Ireland, and these things are now known in England, in spite of the sneers of the Chief Secretary. There are districts in Ireland where you cannot find a man which has not had a member of his family evicted or put into prison. In Longford, one of the quietest towns in Ireland, you have a member of the Town Council, the Chairman of the Board of Guardians, five of the principal men of the town, all in prison, undergoing the treatment of criminals, upon some trumped-up charge of intimidation against them. In the noble town of Tipperary a boy was killed by a Force of 37 armed police. It is not there a question of the Plan of Campaign, in spite of all the Chief Secretary has said. I do not think any Judge would say so, not even my namesake would say it. The action of the tenants in Tipperary is as lawful as the dockers' strike in London. It is an unselfish, crimeless, fight for justice and humanity. We could go on accumulating facts, if it were any use piling Pelion upon Ossa, we could quote volumes showing the utter hopeless failure of every department of coercive policy. There is no disguising the fact that this unarmed peasantry have resisted all the force with which the Chief Secretary has been pounding at them for the past four years, In spite of the Olpherts, Clanricardes, and Ponsonbys, the people have defied the right hon. Gentleman and all his legions. The contest still goes on, but I do not think it can last much longer. So long as it does last it is our duty to expose the policy of the Chief Secretary, his failure, and gross ignorance of Irish affairs. There is no disguising the issue—either he must crush us or we must crush him and his administration. He still has his motley majority at his back in this House. [An hon. MEMBER: Of four.] No, more than four on the Irish question, for that happens to be the one question upon which they are together—together in a leaky boat in a heavy sea—and their only chance is to stick together, and together they will stick. The constituencies have long been united in condemning the verdict of the majority here, and are longing for the chance of shattering that majority to atoms. Meanwhile we are bound by our duty here to our people to protest by voice and vote against any admission that the Chief Secretary is entitled to any recognition for services rendered at the hands of the Irish people, or anyone who values the peace and tranquility of the Empire.

Motion made, and Question proposed,

"That Item D be reduced by the sum of £4,425 (the salary of the Chief Secretary to the Lord Lieutenant)."—(*Mr. William O'Brien.*)

(8.0.) MR. J. O'CONNOR: During the opening remarks of my hon. Friend, the Chief Secretary denied that there had been any meeting held in Ireland of suppressed branches of the National League. Now, Sir, to-day I asked a question of the Chief Secretary, or rather of the Attorney General for Ireland, whether a meeting did not take place in Tipperary last Sunday, and whether it was not attended by 500 or 600 men, who subsequently marched into the town in procession, in order to show that such an assembly had taken place. The Attorney General, acting on the information supplied by the officer of the Chief Secretary, stood up and denied that any such meeting had taken place, or that such a procession had marched into the town. Now, I have read a report of the proceedings in no less than three different newspapers, and I am convinced that it did take place. In fact, I myself have attended many such meetings over and over again. I have addressed meetings of the suppressed branches within a short distance of the town of Tipperary, where you have 200 policemen and 700 soldiers, and those meetings have been held in the absence of policemen. I have addressed meetings of my constituents, under these circumstances; the priest has been in the chair and reporters have been present. Yet if I were to ask a question as to whether such a meeting had been held, either the Chief Secretary or the Attorney General would get up and assure the House that no such meeting had taken place, although I might have been present at it. The fact is the Chief Secretary is like a child, he shuts his eyes in the dark because he is afraid. He does not want to know that these meetings are held, he declines to admit their existence until something occurs which raises the fears of his own supporters, and then he is obliged to admit it, and to alter his policy. I daresay the right hon. Gentleman will declare that he has not altered his policy from the beginning, and that he has not changed his course of conduct. But I should like to point out to him one instance in which he has changed his policy, in deference to the public opinion created in this country, because his policy was inconsistent with the enlightened notions of the people of this country, and inconsistent with their ideas of punishment. The right hon. Gentleman stood up in this House last year, and, in reply to speeches which were made in opposition to his policy, in regard to the treatment of prisoners in Ireland, he admitted that owing to the manner in which prisoners were treated in Ireland, and owing to the impression which, he said, was made on English audiences by public speakers upon the subject, he admitted that a case had been made out for inquiry into the treatment of prisoners throughout the three Kingdoms. But although an inquiry was instituted the right hon. Gentleman did not await the Report of the Committee, but he directed the Prisons Board to make fresh bye-laws, which conceded every one of the main demands made on behalf of prisoners in Ireland for what we believe to be political offences. Now, Sir, the right hon. Gentleman, in the course of one of his speeches to-night, asked us to turn our backs on the twopenny-half-penny questions which he said were contained in the Votes we have just passed, and to turn to what he called the dramatic points which remained to be argued under the Vote. He might well style them dramatic, for there is a great drama being enacted in Ireland at the present moment. There are evictions going on in the presence of policemen and soldiers. People who are compelled to break the law are hauled before the Magistrates, who do not administer their duties according to the law, but who prefer to follow the instructions from Dublin Castle. The Chief Secretary may laugh at this, but does he mean to say that it has not taken place? Why, we can prove that it has, out of the Magistrates' own mouths. For instance, on one occasion Colonel Carew said he did not care about the law, or about evidence; he had his instructions from Dublin Castle. What are the Magistrates in Ireland doing? Why, last year 15 of these young men were brought before two of these Resident Magistrates, Messrs. Frewen and Meldon, in the town of Tipperary, and were charged with riot. The Resident Magistrates retired to consider the evidence, and they returned into Court and declared that the case against one of the defendants was dismissed, while, with regard to the other 14, they said they

could not, on the evidence produced by the Crown, convict them of riot; but in order to put a stop to such proceedings they would direct the defendants to find bail to be on their good behaviour for 12 months, or to go to gaol for two months. Here are men absolutely declared by the Magistrates to be innocent of the charge preferred against them, yet, in order to carry out the instructions from Dublin Castle, they are compelled to give bail for their good behaviour, or else go to gaol for two months. What was the offence of these 15 young men——

THE CHAIRMAN: Order, order! This does not properly come under this Vote. It is a question which should be raised under the Vote affecting the present Magistrates.

MR. J. O'CONNOR: My contention is that these Resident Magistrates were acting under the instructions of the right hon. Gentleman the Chief Secretary of Ireland. They are servants——

THE CHAIRMAN: Order, Order! This matter cannot be entertained under this Vote. Questions affecting the general policy of the Chief Secretary may be taken, but the action of the Resident Magistrates must be discussed under the Vote affecting them.

MR. J. O'CONNOR: I have repeatedly brought this question before the House. I have asked the Chief Secretary to explain upon what principle the conduct of the Resident Magistrates can be justified. I have received from the right hon. Gentleman very unsatisfactory answers, and now I think it is incumbent on me to prove my contention that he is responsible, because he backing up these Magistrates in an un-constitutional manner, and in a manner which ought to be questioned in this House. I want to prove that my constituents have been treated by these Resident Magistrates, under orders from the Chief Secretary, in such a manner as to meet with the condemnation of the House. I think I am entitled to raise this question, because the Chief Secretary's salary is under discussion.

THE CHAIRMAN: Order, order! This subject can only be raised on the Vote for the Resident Magistrates.

MR. J. O'CONNOR: I wish to bring a charge against the police on this question.

THE CHAIRMAN: The action of the police must be questioned on the Vote for the police. On the Vote for the Chief Secretary's salary only questions of general policy can be discussed. The action of any especial Department of the Executive in Ireland must be raised on the Vote affecting that particular Department.

MR. T. M. HEALY: May I submit that when the Chief Secretary moved the Closure the other night he made a statement to the effect that the police Vote and the Vote for his salary were very much the same thing, and they both involved the same question.

MR. A. J. BALFOUR: I do not think that was what I stated. What I intended to convey was that some of the questions which were raised on the Police Vote should have been raised on this Vote.

THE CHAIRMAN: Order, order! What occurred on that occasion does not affect this Committee. We cannot go into this question now.

MR. J. O'CONNOR: The difficulty is to decide when a Resident Magistrate is acting as an executive officer, and when he is acting as a Judge. Take the case, for instance, of Mr. Cecil Roche, who sometimes sits on the Bench, and who at the same time may be conducting the actions of the police, and, while so acting, may be inciting them to murder people. On what Vote are we to question such conduct?

THE CHAIRMAN: Order, order! When the Vote including his salary comes under discussion it will be open to the hon. Member to raise this question.

MR. J. O'CONNOR: I submit that these are questions of general policy. The Chief Secretary justifies the action of these Resident Magistrates. Still it does not matter to me when I bring these matters forward. I can do it to-morrow just as well as to-day, and I will, therefore, in obedience to your ruling, Sir, pass on to another subject. I want to know from the Chief Secretary why it is that the men who shot down Heffernan in the streets of Tipperary have not been proceeded against. It was stated in the course of the Debate on the matter that the man in charge of the Force who committed this desperate deed had ordered the crowd to disperse. But I

wonder is the Chief Secretary aware of the fact that it transpired in the evidence that the rules of the Force on this occasion had not been complied with by this officer. According to those rules the crowd should first have been charged with batons, but, as a fact, this young policeman recklessly ordered the men under his command to fire, and he added instructions that they should aim to kill. I think the facts in this case should have induced the right hon. Gentleman to take further action. The Coroner, when the issue paper was handed to him by the Jury, said that they had found that the man Heffernan came by his death by a gunshot wound received on the 5th instant in the public streets of Tipperary, and that he died on the 7th. The Jury found a verdict of wilful murder against the District Inspector and a constable, and they further found that the constable fired the shot by the direction of the District Inspector. The Jury further added a rider calling upon the Government to take immediate steps to prevent a repetition of such occurrences, because they believed that such events would lead to anarchy and crime. Before the proceedings of that inquest closed the Crown Prosecutor stated that he had never seen an inquest conducted with more ability or greater impartiality than had been the case on that occasion. But what has been the result of that verdict? What has become of the officer who ordered the shot to be fired, and what has become of the policeman who fired the shot? I suppose the officer has followed the example of the District Inspector who distinguished himself by invading a non-proclaimed meeting, and calling upon the Force under his command to draw their swords, and charge the crowd and disperse it, with the result that they wounded no less than 30 or 40 men, without any warning and without reading the Riot Act. That Inspector, who was afterwards found guilty of assault by a Bench of Magistrates, but the informations concerning whom were subsequently quashed by the Government, was promoted to a Resident Magistracy, and I believe that every one of the men under his command on that occasion received a pecuniary reward, while in the case of this poor man Heffernan, who was murdered in the streets of Tipperary, I believe the District Inspector has received promotion. Indeed, the police have discovered that the wise path to promotion in Ireland, under the existing *régime*, is by doing acts of violence to the people of the country, and by committing outrages upon personal liberty. And while I am upon this point I may as well allude to one or two other matters of general policy. The Police Vote, I know, has been passed, but some of my constituents in Tipperary are being persecuted by the police. I have had brought under my notice the case of a man named Burke, who has been in the habit of earning his livelihood in the streets of Tipperary by mending boots and shoes. A short time ago it was brought under the notice of this House that he had been deprived of his livelihood, because the police surrounded the place where he worked, and by making it appear to the people generally that the man was one of them, his customers were scared away. I have received a letter calling particular attention to this case, and from that letter I gather that the man had to leave his usual post for working owing to the action of two or three policemen, who constantly stood by him and pretended that he was doing work for them. The consequence was that he lost his customers. He left the main street, and for nine weeks he was unable to get any work. He applied to the Board of Guardians for relief. Ultimately, he went back to his old place, but he had no sooner taken up his position than three policemen presented themselves and prevented any of his customers approaching him. I think this is one of the cases which ought to be inquired into by the Chief Secretary. It shows the manner in which the people of Tipperary are treated by the police—a manner which is not calculated to maintain the peace of the town. If a dog persistently attacks a man the latter is entitled to take steps for his own protection. I look upon the police of Tipperary as being nothing better than a dog, and I think the people there ought to be protected from this vicious system of espionage, following, and shadowing, and if they are not so protected they will be justified in using any means that can be devised to protect themselves from such an obnoxious policy. I should like to deal with one other question arising

out of the recent difficulties in Ireland. In the course of a discussion on the dock strikes——

THE CHAIRMAN: Order, order! That question is pertinent to the Police Vote, and indeed it was discussed upon that Vote.

MR. J. O'CONNOR: We are discussing the policy of the Chief Secretary, and I must say that I find it very difficult, now that the Police Vote has been passed, to keep within the very narrow limits in which you are confining us, and I do hope that before these Votes are finally passed we shall have some opportunity of condemning the action of the Chief Secretary for the persistent persecution of the people, and for the miscarriage of justice by the Resident Magistrates. I cannot help remembering the conduct of these officials. For instance, Colonel Turner was in charge of a Military Force at some evictions on the Ponsonby estate, and at the very scene of those evictions, while the people were writhing under the injustice of being driven from the homes which they had built, and from the farms which they had reclaimed by means of their own capital and labour —while they were writhing under this injustice, in the very midst of sorrow and tears, this Colonel Turner ordered the bagpipes and bands of soldiers under his command to play up their national airs and their merry tunes, in order to drown the wails of the people thus driven from their homes. We intend to do all in our power to bring these facts before the people who constitute the Court of final appeal, and in the very short period which will elapse between the close of this Session and the opening of next Session, we shall utilise all the time at our disposal in order to make these facts public.

(5.5.) MR. MACNEILL: I would much prefer to discuss this matter more on the general aspects of policy than—as I am compelled to do by your repeated rulings, Sir—direct myself to the personal conduct of the Chief Secretary. A Chief Secretary who, with his high position and limited knowledge of the country, finds himself in possession of despotic authority over an entire country—into which he, perhaps, has never put a foot before being invested with that authority—has one or other of two courses to pursue. The moment he arrives at the seat of his administration he finds there a number of gentlemen, his officials. If he throws himself unreservedly into the hands of these gentlemen, everything, so far as he is concerned, will be rendered pleasant for him. There will be plenty of one-sided information given to him for the confusion of his opponents, and everything will go smoothly so long as he is content to view all matters with other eyes than his own. In the case of the present Chief Secretary, this system has been adopted, and it is now too late to alter it. If, three and a half years ago, he had put his foot down and taken an independent course, and had said, "I will examine things for myself; I will not take a one-sided view of every prosecution in Ireland," things would not have gone so smoothly. No doubt his servants would have been courteous, but they would not have liked it; and if he had made mistakes, they would have been secretly delighted and would have been ready to say, "Well, you would not be advised by us, and now you must put up with the consequences." If the right hon. Gentleman had brought fresh eyes to the Administration, however, the results, so far as Ireland is concerned, would have been very different. At present he is simply dealing with officials who are actuated by the fear of the loss of their posts, and he gives them a power-of-attorney over his voice, his conscience, and his influence in the House. He has thrown himself entirely into the hands of the Castle officials, and as far as answers to questions are concerned the right hon. Gentleman is nothing more than a telephone between the officials and the House of Commons, and his salary might well be cut down to the cost of the telegrams. In answering supplementary questions, of course, he displays great ability, resource, and cleverness; and no one would admire him more than I should every afternoon if these questions and answers were a mere dialectical game—a mere game in a drawing room —but it becomes a very serious thing when we reflect that on these matters depend not merely the personal triumph of some smart repartee, but the lives and happiness of the Irish people. The right hon. Gentleman, I think, fails to realise that Irish politics are something

more serious than a highly intellectual game. As I have said, the right hon. Gentleman has not taken the trouble of seeing things for himself. He has simply placed himself in the hands of persons who are interested, and there is one feature in the right hon. Gentleman's administration which is in complete contrast with every other administration in Ireland. Other Chief Secretaries have spent the greater portion of their time in Ireland, but last year the right hon. Gentleman was only in Ireland for six or seven weeks out of six or seven months that he might have spent there. I have had the curiosity to make a note of the dates, and I find that Parliament last year rose on the 30th of August, but that the Chief Secretary did not put in an appearance in Ireland until October 24th. He was away during that period of excitement, when, if he was any good at all in Ireland, his presence would have been most valuable. He was away during the rise of the Tenants' Defence Association, during the founding of the Smith-Barry Syndicate, and the transactions which took place in Maryborough. And when he came to Ireland, he only remained until the 16th November, reappearing on the 16th December, and remaining until the 30th January. Where was he is the intervals? Why, he was in England or Scotland governing Ireland by correspondence with men whose words, as we contend, are thoroughly unreliable on all matters affecting Irish administration. It is no exaggeration when I say that the Castle officials are practised in falsehood. They seem to be continually undergoing a competative examination to see who is the boldest and most effective liar. The right hon. Gentleman the Chief Secretary is a man of intelligence; he knows in this dialectical game of question and answer on which side the truth lies, but he sticks to his official information. He has received his official instructions, and he sticks to them. The hon. Member for Dover, the Chief Secretary's secretary since he has assumed his present post, has made some references to Irish history. I would remind him and the Chief Secretary that in Grattan's Parliament, when a very respectable gentleman had committed the error of making his position in Parliament the medium of publishing slanders and falsehood, although he did not know that the words he had used were slanderous or false, and had given his authority for them—which the Chief Secretary never does, except to say that he has got his information from the police—Grattan got up and declared that the informant of the hon. Member was a gross, public liar, and in the most vigorous terms condemned the misconduct of the Member who was capable of giving expression to the slanders put into his mouth by officials. We can imagine from that what Grattan would have said if he could have heard the Chief Secretary day after day, relying upon the words put into his mouth by the Castle officials. The Chief Secretary I have always regarded as a man of great ability, but, at the same time, I am sure he is too much of a philosopher to believe in political miracles. Yet it would be a political miracle if the right hon. Gentleman were anything but what, under the circumstances, he ought to be and is, namely, an example of gigantic ignorance as to the primary facts of Irish social life. Twelve months ago the right hon. Gentleman got up on the Police Vote and said that within a few months the relations between the police and the Irish people would be as harmonious as the relations between the police and the people in any country on the face of the globe. How have those predictions been realised? Why, on the very eve of the murder of Inspector Martin the right hon. Gentleman, in the only speech he ever delivered in Ireland—a speech delivered at a ghastly banquet of place hunters whose names would never have been known if the Nationalist Party had not got hold of them and published them—actually congratulated his audience on the excellence of the relations between the police and the people. The right hon. Gentleman did the same thing only a few evenings ago, having unfortunately for himself neglected to read the Dublin newspapers which contained the best possible evidence as to the nature of the relations existing between the police and the people of Ireland. Those newspapers contained a report of an action brought before the Lord Chief Baron by an individual against a police constable in reference to a transaction which took place at Charleville last year, and at the trial Mr.

Carson (who is to be the successor of the Irish Attorney General in the representation of Dublin University when the right hon. and learned Gentleman is elevated to the Bench, and who is known in Ireland as "Balfour Junior") got up and said that the police were described by reporters for telegraphic summary purposes as "Balfour's Bloodhounds." And this is a Force which the right hon. Gentleman says is a popular Force. Let us test his knowledge of popular sentiment from the little speeches he sometimes makes in England and Scotland. Last year, speaking in Scotland, he brought a charge against Father M'Fadden. He said Father M'Fadden was a gentleman who had constantly used his clerical position to the detriment of his parishioners.

*MR. T. W. RUSSELL (Tyrone, S.): Hear, hear.

MR. MAC NEILL: "Hear, hear," says the Donegal Investigator. I will not say anything about him, but will merely state what Father M'Fadden has done—and I must say, from a knowledge of the facts, that I believe the right hon. Gentleman when he made that statement about the rev. gentleman was in ignorance of what he was talking about, or probably only received his information from the hon. Member for South Tyrone. Father M'Fadden is a priest who has established schools in an extensive parish, who has obtained no less than £8,000 from America to relieve the temporary wants of his parishioners, and in a country where illicit distillation is greatly in vogue has in an increasing parish an increasing number of teetotalers. This gentleman has been a constant benefactor to the poor people of his district, and yet we have a Chief Secretary with a salary of £5,000 a year not disdaining to attempt to take away the character of such a devoted priest by making charges that he would not bring to trial even before one of his packed juries. Such are the statements the right hon. Gentleman is induced to make on the information supplied to him. The hon. Member for Mayo said the other day that he had been struck by a policeman's baton. Up started the right hon. Gentleman with the statement that the hon. Member must have been misinformed. The hon. Member had not been struck; the police had told him so.

In connection with the case of the boy O'Donoghue, who was murdered at Timoleague in cold blood, the attention of the Chief Secretary was directed by one of the Members for Cork to the fact that drunkenness had taken place amongst the police in the town. The right hon. Gentleman confused the case with what had occurred at Portumna, and had no idea that the men had been murdered by his constables in cold blood. When it is said that the police disturb bonfires, the right hon. Gentleman replies that they have a right to do so, such things being an obstruction, but he ought to know that there is nothing to obstruct in Irish villages at night time. With regard to the right hon. Gentleman's action towards Irish officials, when one of the people is promoted amongst his fellows, and popular honours are conferred upon him, he becomes at once a marked man by the Dublin Castle sentry. In the case of the late Lord Mayor of Dublin, at the opening of a Commission, although it had always been customary for this civic functionary to attend and take his seat amongst the Judges, the custom was departed from on that occasion because the Lord Mayor was a Nationalist. In the same way, the Lord Mayor of Wexford, because he had been convicted under the Coercion Act, was removed from the list of *ex officio* visitors of the Enniscorty Lunatic Asylum. And by these means the right hon. Gentleman expects to establish law and order in Ireland. There are few criminals in Ireland, but we give little thanks to the right hon. Gentleman. When real crimes are committed, the police take little pains to investigate them. There was a burglary at Pill Lane, in Dublin, within a few yards of the police barracks, and a man was nearly killed, but the perpetrators of the outrage were never brought to justice. Has the right hon. Gentleman, who came into power to strike oil for the landlords, done so much as strike terror into a single tenant? Has Mr. Olphert got a penny of his rent after the awful persecution his people have been subjected to? The right hon. Gentleman has unroofed no fewer than 300 houses on that estate, and has made houseless no fewer than 1,500 people. He has arrested no fewer than 150 people. He has, through his

agents, placed the handcuffs on peasants, who have been put into an open boat and taken to be put on board a gunboat, though the captain refused to take them unless he received the keys of the handcuffs. He probably thought the administration of the right hon. Gentleman was, to use a phrase which has become Parliamentary, damnable. Now as to Mr. Olphert himself. I have here a secret circular. It was dated August 8th, 1889, and signed by Robert McClinton, D.M. In it the writer invited contributions to a fund which he was trying to raise on behalf of Mr. Olphert, and said it was plain that the battle at Falcarragh was one between law and order on one side, and communism and anarchy on the other. He added that Mr. Olphert could not without assistance continue the fight, as he had received no rent for three years. Two days before that letter was written a most remarkable admission was made by the Chief Secretary with regard to the battering ram. Of all Governments this is the Government of what is called the even keel. They announced that they would preserve strict and equal laws between landlord and tenant; they would see that neither side took advantage of the other. But they supplied the police with the battering ram, which was employed by the landlord to destroy the houses in Falcarragh, and the Chief Secretary justifies the use of that instrument. On the 6th of August, 1889, the Chief Secretary said in this House, "I am perfectly ready to defend the use of the ram." [Mr. A. J. BALFOUR: Hear, hear!] Well, it has won more elections than all the sneers of the right hon. Gentleman put together. The cost of the ram does not appear on the Estimates, because it was paid by the Association of Landlords, presided over by Lord Courtown. That Association gave it to the Chief Secretary, and he gave it to the police to work. I defy the right hon. Gentleman to contradict my statement. The Chief Secretary said, "I am prepared to defend on any platform in England the use of the instrument." I have here a model of the ram. [The hon. Gentleman exhibited the model.] It was made out of the piece of the beam of the real ram I have been speaking of. On one occasion the ram was broken, and the wood out of which my model was made was picked up. Now, I will lend the right hon. Gentleman the ram to lecture with on any public platform he chooses, and, what is more, I and other Irish Members will undertake to be present in order to preserve the peace. The right hon. Gentleman might use the ram on the occasion of his next lecture at the Church Congress, which lecture might very appropriately relate to the seige of Jerusalem. Now, the right hon. Gentleman was new in Ireland until he accepted the office of Chief Secretary. That was his misfortune and not his fault. He was only three days in office when Captain Plunkett was in the law room at Dublin Castle. The right hon. Gentleman was present and advised Captain Plunkett to send that awful telegram to Youghal, "If resistance be offered do not hesitate to shoot the people." The right hon. Gentleman defended the telegram. He said—

> "The sergeant of police would have been guilty of grave dereliction of duty if he had not fired to kill. It was contrary to every received regulation that an armed force dealing with a crowd should fire deliberately over the heads."

Since then no fewer than 14 men have met their death at the hands of the police, and not one of the men who caused these deaths has been one hour in custody. The police have fired to kill. They have followed the right hon. Gentleman's advice, and 14 men have been slain by them. No fewer than 1,000 men have been injured. In consequence of your ruling, Sir, I am not able to speak of the Resident Magistrates except in direct connection with the right hon. Gentleman. I ask if it is worthy of a gentleman in the Chief Secretary's position to bring up to the Castle the dependent Resident Magistrates—men whose salary is everything to them—and to confer with them. He has repeatedly denied that he has spoken to these men in reference to pending coercion cases. But what right has he to bring these men up to the Castle? He is the hero, and they are nothing more than the valets. His conduct in this matter is not that of a statesman. He cannot deny that the men have been to the Castle, and a few days afterwards they have proved themselves the Government's puppets. Lord Londonderry, immedi-

ately on leaving Ireland, made a speech at Stockton, and in that speech he said his experience during the past three years had convinced him it was utterly hopeless to even attempt to govern Ireland except by exceptional powers. That is the testimony of the late Lord Lieutenant, the former head of the Irish Administration. Is that the establishment of law and order? But even the Orangemen of Ireland are discontented. Three years ago some of my own constituents presented an address to the Chief Secretary, in which they described him as brave and magnanimous, but recently Dr. Kane commented very adversely upon the right hon. Gentleman's proceedings. In the colonies, too, the right hon. Gentleman's conduct meets with the disapproval it deserves. Sir George Grey, a very distinguished New Zealand minister, has condemned in the strongest language the Coercion Act, and said that the people in the distant parts of the Empire were determined to render help to the Irish people in their time of trial. This is a matter which appeals to human nature. We wish to defend the poor, to re-establish in our own country our own Constitution, our own laws, and we cannot longer tolerate the gentlemen who administer the affairs of our country.

(9.50.) MR. SHEEHY (Galway, S.): The Chief Secretary has often boasted of his marvellous success in the government of Ireland; but I venture to say he has failed, and is bringing destruction to his own friends. Let me to-night call attention to some of the methods he is employing in Ireland. He has encouraged the landlords to proceed on a wild enterprise of eviction against their tenants. In giving this encouragement he is only luring them on to their own ruin. I think it is right the Committee should be put in possession of the facts relating to this encouragement, and that the British taxpayers should know into what illegal channels some of the money of the Treasury goes. In 1886 the present President of the Board of Trade (Sir Michael Hicks Beach) was Chief Secretary to the Lord Lieutenant, and in a Debate on the Estimates in that year his attention was called to the practice of evicting landlords applying for and getting extra police for protection duty and making a profit out of the transaction. The method by which these landlords made a profit was to charge for their cars which the police used. The then Chief Secretary promised to take care that no landlords, and no persons receiving police protection, should make a profit out of the transaction. He went further, and promised that those who sought police protection should be required to contribute something towards the cost. I want to know how much has ever been required from any landlord towards the cost of the police that have been given to them for their protection duty. How much has the Chief Secretary received from Lord Clanricarde for the army of police placed at that nobleman's disposal during the last four years? I presume I am within the mark when I say Mr. Tenner, Lord Clanricarde's agent, has as many as 100 policemen at his command. These men are paid out of the British Treasury. They are doing no service to the State, but are, in fact, Lord Clanricarde's lackeys. I desire to know, also, whether Lord Clanricarde is being paid barrack rent for the old castle in Portumna? If so, on what ground is such rent being paid? There is another case worthy of notice. There is a great number of evicted houses in the town of Tipperary. The ordinary police force in the town is something like 30, but now it is 150. Extra barrack accommodation is therefore necessary. Such accommodation has been provided by the use of three evicted houses on the estate of the hon. Member for South Huntington (Mr. Smith-Barry). I want to know if the hon. Member is getting a rent for those evicted houses. The policemen are really doing bailiff-duty for the hon. Member, and I want to know whether the hon. Member is being paid a rent for the houses in which his ordinary tenants would not stay. These are very pertinent questions to put four years after the promise of a Minister of the Crown that no evicting landlord should make a profit out of the protection afforded him. We charge that the entire resources of the Government in Ireland are handed over to the landlords, and we charge that everything that it is possible for the landlords to do the Government are prepared to support. We charge that so perplexed has everything in Ireland become, that the tenants can have no protection of their own; they dare not combine, while the landlords may com-

bine to their hearts' content. We charge that the police are handed over as lackeys to the landlords. There was a curious illustration of this only last week, when I was in the town of Tipperary. We have heard a great deal about the shadowing by the police of certain persons in Ireland. As Father Humphreys was leaving his house, the two policemen told off to keep watch over him, at once proceeded after him, but the agent of the estate was at that moment leaving his office, which is opposite to Father Humphrey's house. The agent called one of the policemen back and ordered him to go round to the stables and order his carriage. And this policeman left his duty which he was specially charged to perform and went round to the stable to order the carriage as directed. Well, another matter I have to call attention to is this: Statements are constantly made on the other side of the House upon the number of farms that are being taken. Over and over again it has been stated that a number of evicted farms have been taken, and that the country is settling down to peace, happiness, and contentedness. But when we ask for more definite information, we are met with the answer, "No; to give you names would be to subject persons to moonlighting and outrage." If we deny that any body of tenantry have broken from the Plan of Campaign, the right hon. Gentleman says—"Yes, a certain number of tenants have paid their rent, but we cannot give their names lest these people should be subjected to outrage and perhaps murdered." Now, I asked a question a few weeks ago in reference to the conduct of a policeman down in Portumna, going about on the Clanricarde property with a list from which he was telling the tenants who had paid their rents. Now what does the right hon. Gentleman mean? Here is a policeman going about the country giving the people just that information which, according to the right hon. Gentleman, is calculated to rouse the people to frenzy and lead to the perpetration of outrage and perhaps murder. Are we to understand that he wants an outrage campaign started at Portumna? He must defend his policeman for this conduct, going about and making known the names of paying tenants, or else he must condemn the police for doing that which he, in this House, said would be attended with danger and possible loss of life to paying tenants. Another instance I give of the manner in which the authorities in Ireland give themselves away to the landlords. I asked a question a short time ago about the two emergency men of Lord Clanricarde's who were caught in the act of stealing turf from the cabin of an evicted tenant. The evidence was too conclusive, but the men were dismissed because the tenant has his remedy by civil process. Now, will the Committee be surprised to learn that these turf thieves were on the occasion accompanied and actually guarded by policemen——

THE CHAIRMAN: Order, order! Much of what the hon. Member has been saying would have been pertinent to the Police Vote, but does not properly belong to this Vote.

MR. SHEEHY: The manner in which I wish to apply it is this: I assume that the Chief Secretary is responsible for the government of Ireland and for the handling of the constabulary, to a certain extent, and I assume that these universal practices could not take place if they had not his sanction and support.

THE CHAIRMAN: That is not enough; the administration of Ireland is divided into several Departments, and upon each there is the opportunity for debate. Matters of policy are cognate to the Chief Secretary's Vote, but the hon. Member is raising a matter which is pertinent to the Constabulary Vote.

MR. SHEEHY: The Chief Secretary defends the action of the police in this House. He gives us answers to our questions, which answers we have not the opportunity of replying to until we have these Votes before us in Committee. But I will not press the matter if you say, Sir, that it should be raised on the Constabulary Vote. But I may be permitted to draw the attention of the Committee to the manner in which the Chief Secretary uses his position as representative of the landlord class, to give all the support he can to the landlords of Ireland as against the tenants of Ireland. This is the charge we bring against him, and I regret that I have transgressed the Rules of the House in bringing forward instances. But I am satisfied

with having put these few facts before the Committee, and I will leave the Committee to judge if the right hon. Gentleman is earning his salary by an honest use of the power in his hands.

*(10.37.) MR. T. W. RUSSELL: This Vote, I understand, is challenged because, under the administration of the Chief Secretary, there are certain districts in Ireland where very sad things are occurring and where the Police Force is used in a way in which it is contended that it ought not to be used. If we were to take the statements given by hon. Members below the Gangway, one would imagine that the whole of Ireland is in a state of confusion and disorder. I do not think that it is possible for the Committee to accept any such statement. As a matter of fact, the whole of Ireland with the exception of certain well-defined areas, is in a state of profound peace and quiet. I quite admit that there are areas which have long been subject to the Plan of Campaign which are in a state of disturbance, such as Youghal, Woodford, and Tipperary, but I traverse the statement that the whole of Ireland is in that state. On the contrary, I repeat that with the exception of these districts Ireland is in a state of profound peace, and I am glad to say is prosperous. Now, I want in the short space of time I shall occupy, to direct attention to one of these areas to which I have referred, where a considerable number of people are subject to intimidation, from which I think that the Government ought to strain every nerve to protect them. I had some doubts whether this matter would more properly come under the Police Vote, but I made up my mind that it would come more appropriately under the Chief Secretary's Vote. I take the case of Tipperary. I heard the hon. Member for East Mayo state that what is going on there is simply the same thing that goes on in a Trade Union strike in England, and he drew a comparison with the dockers strike in London.

MR. DILLON: No; the comparison and the contrast I drew was between the action of picketing in the dockers' strike and in the Leeds gas strike and the practice of shadowing in Ireland.

*MR. T. W. RUSSELL: What I complain of is that there are people in Tipperary who have been coerced, and for whom no adequate protection is found. It may be urged that the action of the League is the same as that taken in a Trade Union strike, as far as picketing is concerned. The first objection I urge against that is that in the case of the dockers' and the gas strike the people conceived that they had a grievance to strike against. I submit that it is impossible to prove that the people of Tipperary consider that they have a grievance. On the contrary, I am prepared to prove by documents and by evidence that the people of Tipperary conceived that they had no grievance, but were coerced into this fight, and therefore the cases are not upon all fours. In the second place, the dockers were allowed and were free to strike, but they were not free to intimidate others who did not wish to strike. My complaint is, that the claim is put forward by hon. Members below the Gangway that those who strike should be free intimidate those who do not wish to do so. Now, I wish to bring several cases under the notice of the Chief Secretary, for he alone has the power to put this matter right. I wish to bring several cases to his notice where I think the people have been grossly coerced and abused. And, first, I take the case of the Presbyterian minister of Tipperary and his family.

THE CHAIRMAN: So far the hon. Member appears to be leading up to an arraignment of the police. If that is so, he will not be in order; but perhaps before the hon. Member enters into details, he will state what his line of argument is.

*MR. T. W. RUSSELL: I am going to bring under the notice of the Chief Secretary, the responsible Minister for Ireland, certain cases of individuals in the town of Tipperary who are being injured and fired at, and I am going to urge the Chief Secretary to give them adequate protection. I conceive that this would be in order, and it would be very hard if those people were debarred from having their case stated.

THE CHAIRMAN: I have prevented hon. Members arguing the other side of the question, and I think that inaction as well as excessive action on the part of the police should be discussed under the Police Vote.

MR. T. M. HEALY: May I ask if the hon. Gentleman voted for the Closure the other night?

*MR. T. W. RUSSELL: I stated, probably before the hon. Member entered, that I had some doubt whether I ought to bring on this matter under the Police Vote, but I considered it would be more pertinent to this Vote. What I wish to bring under the Chief Secretary's notice on the Vote for his salary, is the position of five or six individuals who have not received adequate protection from the right hon. Gentleman. If I am not at liberty to do that, Mr. Courtney, I will immediately resume my seat, but I invite a direct instruction from you whether I should be in order.

THE CHAIRMAN: I think it ought to be brought on upon the Police Vote.

(10.45.) MR. T. M. HEALY: The hon. Member for South Tyrone seems to have been "hoist with his own petard." His grievance is against the Chief Secretary, who has, no doubt, misled him. The Chairman of Committees knows his duty, but the Chief Secretary distinctly led us to believe——

THE CHAIRMAN: Order, order! The Chief Secretary is not the controlling power. As I have already said, the hon. Member is not entitled to go back on that matter.

MR. T. M. HEALY: I was only about to remark that the right hon. Gentleman has deceived his follower into the impression that the one speech would do for either Vote. I see the area of the right hon. Gentleman's misrepresentation is spreading, and has affected even the hon. Member for South Tyrone. However, Sir, accepting your ruling, I address myself to the general policy of the right hon. Gentleman and his dealings with Ireland. The fourth year of the administration of Her Majesty's present Government has now been reached, and I ask the right hon. Gentleman whether he has now any other policy than shadowing and coercion? The right hon. Gentleman told us here the other night that we ought not to put so many questions to him. He said if we will insist on indulging in that luxury, he can only give us official information placed at his disposal. But, said the right hon. Gentleman, "It is open to you to avoid being galled by my statements, and you may avoid being troubled by my answers by not putting questions." Why did not the right hon. Gentleman go further, and suggest that if we come here at all, we should spend our time on the Terrace or in the Smoking Room? Yes, we have asked many questions, but in no single instance has the right hon. Gentleman attempted to give a satisfactory statement in answer to questions. I deny the right hon. Gentleman's statement that he has given the House all the information sent him by the police. My belief is, from comparison of facts and replies to secondary questions, that the right hon. Gentleman deliberately inverts the information he gets at the Irish Office, and does not give us even the information supplied by the police. His manner and his method have been reduced to a system. His first object is to insult the Irish Members, and his next to irritate and annoy the questioner, and thirdly, he endeavours to provoke a laugh on his own side of the House. If anybody was to ask him whether on a certain date the sun shone in Ireland he would begin with his accustomed formula, the Constabulary report to him that from the complaints made as to the potato blight or the inability of farmers to pay rent or from the natural humidity of the soil it was very doubtful indeed whether on a certain day the sun shone in Ireland. But we intend on this Vote to ask the right hon. Gentleman some questions even at the risk of getting some very unsatisfactory replies. What has become of his great drainage scheme? During 1887-8-9 we heard a great deal of the enormous damage which was done to Ireland through want of drainage of the Shannon, the Barrow, and the Bann, and we were told that all Ireland wanted was arterial drainage. But nothing has been done to promote that great drainage scheme. Then the right hon. Gentleman had another great policy, which was that of light railways. I supported that scheme in the innocence of my heart. But where are the light railways? Not a pick has been put into the ground, and not a barrow-full of earth has been turned. There was another great policy of the Government, and that was the conferring of University education on the Catholics of Ireland. I ask the Chief Secretary what has become of that now? Has the money for light railways been

diverted to erecting a Catholic University, or has the money for the drainage schemes been used for that purpose? Nothing of the kind, and the speeches made by the right hon. Gentleman at Manchester, Leeds, and also at Glasgow and Edinburgh, where he tried to convert the Scotch people to his views, a difficult task for the author of "Philosophic Doubts," have had no result at all. No, while declaring that the Catholics of Ireland were entitled to University education, the moment a ripple of dissent appeared among the right hon. Gentleman's Protestant friends and the Orange lodges of Belfast, the Catholic University passed out of the policy of Her Majesty's Government like the baseless fabric of a vision. To-day another blow has struck their hearts; the Land Purchase Bill has been dropped. That fourth blossom of the four-leaved shamrock of the Irish policy of Her Majesty's Government has been withered and blighted by the heat of July. It was on the Land Purchase Bill that the right hon. Gentleman the First Lord uttered his famous "Certainly, Sir," and that "it never, no never," would be dropped. And now we hear it is gone the way of the Tithes Bill and the Compensation Bill. What has become of that other great branch of Conservative policy—the extension of Local Government to Ireland? The Unionist Party came in on a number of planks somewhat unskilfully nailed together. The points of some of the nails appear to be sticking out, and are making the seats of some Members of Her Majesty's Government rather uncomfortable. What has become of the great policy of extending Local Government to Ireland which was promised in the Queen's Speech? We all know how ardent a supporter of Local Government the right hon. Gentleman is. We do not ask him inconvenient questions as to the unhandsome corpses of murdered Irishmen, which ought not to come between the wind and his nobility; but we do ask him what has become of his policy in regard to light railways and Catholic University education. No doubt the right hon. Gentleman would be much better pleased if we were to confine ourselves to questions upon which he can begin with the prelude to his well-known litany, as to what the established Authorities have reported to him. But those Authorities are not responsible for the non-passage of the Local Government for Ireland measure, announced in the Queen's Speech, nor for the dropping of the Land Purchase Bill, the Drainage Bill, and a number of other dropped schemes and broken pledges of the Government. The person responsible for these things is the right hon. Gentleman himself, who has a seat in the Cabinet, and who is put forward as the spokesman of the Government on all occasions such as this. We want to know on what cry the Conservative Party propose to go to the country at the next General Election? [*Laughter.*] Hon. Members laugh now, but by-and-bye they may have to laugh on the wrong side of their mouths. No doubt the right hon. Gentleman hopes that he and his Party may keep together for a considerable period longer. [Colonel SAUNDERSON: "Hear, hear!"] That statement is received by the feeble duty cheer of the hon. and gallant Member for North Armagh, which, however, does not obtain the resonance which might have been expected from the other supporters of the Government. I claim that we ought to be allowed, after the Session which is about to close, to go about and inform our constituents what they have to expect from a Conservative Government. If I go to Ireland to address my constituents on subjects relating to rent, or to shadowing by the police, I shall have to do so at the risk of having my head batoned; but what I desire is to inform the Irish people of all the good things that are in store for them. I do not desire to say a harsh word of the Government. On the contrary, I desire that the Government will, so to speak, fill my bag with gifts, so that when I go back to Ireland I may be able to eschew all the troublesome subjects relating to battering rams and prison clothes and ejectments, and the other nasty topics which are so burdensome to the right hon. Gentleman. These are the subjects the right hon. Gentleman desires to avoid. They have been referred to by him as "squalid details." Of course, if the right hon. Gentleman includes the Resident Magistrates among these squalid details, I can have no objection. What I desire to know is, what is the programme of the Government, and

what it is they propose to do in the next Session to make good the promises and pledges they have broken in the past? I will give one slight illustration of how little confidence is to be reposed in Her Majesty's Government, even by those who profess to be their great supporters, in Ireland. There is at present a belief in Ireland that the Attorney General for Ireland is about to vacate his seat, in order to secure his well-deserved reward as the occupant of a seat on the Irish Bench. But that appointment will inevitably create a vacancy in the representation of Trinity College, Dublin, hitherto supposed to be the one secure paddock in which the Government palfrey might amble at will. Among the persons composing the electorate of that ennobled and enlightened constituency, which is said to contain all the wealth and intelligence and education of the community—even in that calm and peaceful abode of learning and erudition—a rift has occurred. The right hon. Gentleman the Chief Secretary has written a letter in favour of the candidature of Mr. Carson, but the landlord party have put forward a candidate of their own, Mr. Lowrie, so that the present Government, who have declared that one of the main portions of their Irish policy is to be found in the Land Purchase Bill, are now being opposed even in Trinity College by a Representative of the landlord interest. Thus the Government are met by a declaration that the constituency of this hitherto pocket borough will support not the Government candidate, but the candidate of an independent party. Well, Sir, we claim to know what satisfaction are the Irish people to have in future. We have had four years of Conservative policy in the administration of Ireland, and we are told that during that time Ireland has progressed. The right hon. Gentleman made a speech the other day, in which he spoke of the enormous prosperity of the Irish people, and he was backed in that by the hon. Member for South Tyrone (Mr. T. W. Russell). I find, however, from statistics that in all those matters which may be taken to denote the condition of the wealth and prosperity of the people there has been instead of an advance a decline and falling off. Whether we take the imports or exports, or the money in the savings' banks, I assert that in every single item which may be regarded as an index of the prosperity of the country there has been a distinct decline. For example, if you take the tonnage entering the Port of Dublin, and if you go from that to the figures given in the Returns of the Registrar General, every single index points to a fall.

COLONEL SAUNDERSON (Armagh, N.): Will the hon. Gentleman give the entries for the Port of Belfast?

MR. T. M. HEALY: Belfast, Ireland?

COLONEL SAUNDERSON: Yes.

MR. T. M. HEALY: Yes. But let me point out to the hon. Gentleman that Belfast is increasing, and I am delighted to hear that it is increasing. But increasing Belfast does not compensate me for decreasing Ireland. Much as I like Belfast, I love Ireland more. An infinitesimal increase in Belfast is no compensation for the steady decline over the rest of Ireland of every element that constitutes the prosperity of the country. I will give the tonnage of the country as a whole. I find from the Registrar General's Return that the inward bound tonnage increased from 2,000,000 tons in 1841, to 3,200,000 tons in 1881, and to 6,000,000 tons in 1887. That proves that articles of commerce formerly manufactured in Ireland are now bought elsewhere. It is the outward bound tonnage which shows the true prosperity of the country. It is needless to quote the figures, but any hon. Gentleman who thinks he can traverse my statement need only refer to the Registrar General's Returns, or to the figures of Mr. Grimshaw, during the past 12 months, and he will find my assertion, that Ireland under a Conservative Government has declined in prosperity in every single element that constitutes prosperity, is a correct assertion. What have we got upon the other side of the ledger? We have got the policy of the right hon. Gentleman, and the increase of his police. The cost and number of the police go on steadily increasing. The population keeps falling off. The number of prisoners in gaol goes on increasing. The Chief Secretary tells us that the number of outrages is decreasing. The number of emigrants going to America continues at the same rate, and the country which some years ago had a population of

8,000,000 has now a population of 4,000,000. When the Chief Secretary tells us that the people of Ireland are more attached to law and order I challenge his statement, and invite him to use the police whose duty it will be to gather the Census Returns to ascertain the opinions of the people with regard to his administration. The right hon. Gentleman in the past has been famous, as I have shown over and over again, for creeping out of his pledges made to this House. It is idle to taunt the right hon. Gentleman with broken pledges. When we remind him that he promised appeal, he invariably replies that that was disposed of last year. If we show that he makes a statement this year of a different character to that which he made last year, his invariable reply is that this is 1890 and not 1889. The right hon. Gentleman has had four years' experience in his administration, and, now that there is one great English Party in the State opposed to the other great English Party on the question of Ireland, I ask him what are his hopes for the future. For the first time, Mr. Courtney, the Irish people are encouraged and are enabled to look forward to an amelioration of their condition. As a statesman the right hon. Gentleman must know that his policy will be reversed if he is beaten at the polls. What epitaph will be written on his policy, and upon his statesmanship? Can he look back with any satisfaction to the fact that practically he himself has borne the whole burden of this entire experiment of coercion in Ireland for the last four or five years, and that when it is reversed the verdict will be a verdict expressly against him and his policy, and that it will be for ever practically impossible for any future Conservative Administration ever to return to the lines which have been rejected? Therefore, his entire policy is dependent for success at the polls at the next General Election. But if we, the Irish Members, are beaten at the polls, we will carry on the contest as before. Defeat will mean very little to us. The Irish have been like a toad under the harrow for centuries. But it is essential to the Chief Secretary and his Party that they should succeed at the polls. What is the policy of the right hon. Gentleman for the future? The Liberal Party have put a distinct policy before the Irish people. The right hon. Gentleman has brought forward a policy of land purchase as his sole policy. And what is the verdict upon that in the North of Ireland? Nothing more clearly denotes the feeling of the North of Ireland than the Resolutions that have been passed with reference to compulsory purchase. They know very well that the tenants of the South and West of Ireland will be able to carry out the purchase, because they know that in the South and West the tenants can squeeze the landlords out. The hon. Member for North Armagh makes speeches in Ulster during the July fever. Do you find him praise compulsion? No. "King Billy" is trotted out as of yore. The feuds of 200 years ago, dead and buried, are revived; the bands play "Protestant Boys" and "Croppies lie down." But will this fill the stomachs of the frieze coats who have votes? Even in the loyal corner of Ireland the policy of the right hon. Gentleman is fruitless and barren. The hon. Member for South Tyrone will go about talking of the Land Purchase Bill, but what is the good of introducing that measure to the loyal farmers, if the loyal landlords will not sell to the loyal farmers? The loyal landlords are very glad to get the loyal farmers' pounds, shillings, and pence, paid quarterly or half-yearly as the case may be. If the right hon. Gentleman objects to squalid details, and does not like the corpses of Mitchelstown brought between the wind and his nobility, we are entitled to soar to the higher regions of Conservative statesmanship to track the pathless waste for some glimmer of the pilot balloons which are supposed to be sailing through the azure. Let the Chief Secretary throw his grapnels into the sure ground of Conservative statesmanship, and, throwing aside all these miserable details about plank beds and prison clothes, leaving the gaol corpses in their quicklime, let us have from him some statement about that basis of Constitutional statesmanship upon which his glory as a future Governor of Ireland is to rest.

(11.0.) MR. A. J. BALFOUR: I confess to have listened to this Debate with feelings of considerable satisfaction, and even of complacency. This is the occasion on which all the pent-up wrath

which gathers in the bosoms of hon. Gentlemen opposite is legitimately poured forth upon the Chief Secretary, whoever he may be. But to-night the particular allegations that have been brought against me have chiefly had reference to ancient wrongs. They are grievances that have been trotted out year after year, and Session after Session, and, as far as the 12 months are concerned which have elapsed since we last passed this Vote, very little that is new has been brought forward against the Irish Government. The hon. and learned Member for Longford has travelled over a wide field of Irish politics. He has discussed among other things the diminishing prosperity of Ireland under the present Administration. I think the discovery which he made is one confined entirely to himself. I have heard this subject discussed by persons of very different views—by politicians and statisticians; but never till this evening have I heard it suggested that during the last three years the wealth and the prosperity of every class in Ireland have done other than increase in a most remarkable and satisfactory manner. When I heard his amusing paradox I listened for the method by which he would sustain it. He said—

"It is true that the imports into Ireland have doubled during the last three years, but, at the same time, the exports have diminished."

But on what does the prosperity of Ireland depend? On what does the comfort of the people depend? Does it depend upon what they send to other people, or upon what they import for their own consumption? Has it not been agreed by all political economists for the last 30 years that their welfare depends upon the imports?

MR. T. M. HEALY: I will give the right hon. Gentleman the figures of the Registrar General. During the period of five years from 1851 to 1855, just after the famine, the annual value in Ireland of the crops was £58,537, and of the stock £39,348, making a total of £97,885. In the five years 1884 to 1889 the annual value of the crops was £35,952, and of the stock £55,839, making a total of £91,791, or a decrease of £6,000.

MR. A. J. BALFOUR: Yes, Sir; but what has that to do with the argument which was addressed to the Committee based upon what the hon. and learned Gentleman said? I take the hon. and learned Gentleman's own argument. He said, "Your imports have increased; but what of that when your exports have diminished?" I say it is very important that the imports have increased to the extent which the hon. and learned Gentleman indicates. It is a conclusive proof—if proof were required of so obvious a fact—that the prosperity of Ireland during the last three or four years has greatly augmented. The hon. and learned Gentleman asks what is our policy—is it coercion and coercion alone? He says, "Where are your Railway Bills, your Drainage Bills, your Land Purchase Bill, and your Local Government Bill?" And the hon. and learned Gentleman proceeded to ask, in anxious tones, what he was to say to his constituents as to the good things given to them by the English Government. It would be a great impertinence on my part to suggest a speech to the hon. and learned Gentleman, who is one of the most fluent and prolific of the orators who address the House. But I think I could give him the headings of such a speech. [An hon. MEMBER: Early marriages.] He might say, "The Government have brought in Drainage Bills for Ireland. I regret to say that your great rivers produce much damage in the districts where the floods occur. But the Drainage Bills were brought in by a Conservative Government, and we, therefore, were glad to accept the assistance of the English Radical Members in obstructing these Bills and in preventing them from becoming law. We admit the disasters that will consequently accrue to you, the population of Ireland, but your sufferings are in the cause of Home Rule, and you must bear them cheerfully." Then the hon. and learned Gentleman can say, "The Governhave also brought in a Bill for making railways in the poorer parts of Ireland. The Bill was framed in terms more liberal than any English Government have ever given to Ireland. We did our best to stop it; we did succeed in embarrassing the Government; but unfortunately they have been able to pass it. Unfortunately there seems every chance that the Government may be able to carry out these great and beneficial works in Ireland. They would benefit

you, but you ought to regret that, because if the Bill had been rejected, and if the railway which they propose to give, and which you could never give yourselves, had not been built, the cause of Home Rule might have been furthered." The hon. and learned Gentleman may go on to say, "The Government have brought in a Bill for carrying out a policy which we advocated in earlier days—a policy of land purchase. They propose to give, in the first instance, a sum of £33,000,000 upon English credit, money which could never be raised upon Irish credit, and this sum, as it is repaid, will be re-lent, if Parliament desire it, to carry out that policy." "We all know," he may say, "that agrarian discontent is the very backbone of our policy in Ireland. This policy of land purchase may diminish that discontent, and therefore in the interests of Home Rule we have used the whole powers of our minority, a minority which rules the Gladstonian minority, and have been enabled triumphantly during the Session of 1890 to reject the Bill which, however beneficial to you and whatever peace it might have brought to Ireland, might have indefinitely postponed the consummation of your political wishes in the direction of Home Rule." Now, it seems to me that the hon. and learned Gentleman might well make such a speech to his constituents as I have just sketched the outlines of.

MR. MAC NEILL: Why do you not go and make it?

MR. A. J. BALFOUR: I am not an Irish Member, and I have not to address an Irish constituency, but I was under the impression when I was interrupted that I was doing my best to supply the hon. and learned Member for Longford with materials for a speech to his constituents, a speech setting forth the views and desires anxiously expressed by him and his colleagues. Now, the hon. and learned Member for South Donegal denounced me this evening for, among other things, depending for the information I give to the House upon official sources. When a Minister is asked for information on particular matters he is bound to give official information, and if persons want information from other sources, say the daily Press, let them go to the daily Press for it. I do not wish to repeat the argument I used on Monday night; I wish to put the matter on a broader issue. Is there any real, any substantial difference between hon. Gentlemen opposite and us upon any of the leading facts of contemporary Irish politics? I admit, of course, that there are controversies as to whether a particular policeman did this or that, as to the treatment of this or that prisoner in gaol, and as to the sentences of this or that Resident Magistrate in cases of boycotting. But is there any substantial difference between hon. Members opposite and us upon the real and more important facts in Ireland? Is it denied, for instance, that the Plan of Campaign exists on many estates in Ireland, and that the plan is an illegal conspiracy?

An Irish MEMBER: That is a thing of the past.

MR. A. J. BALFOUR: It is very extraordinary that hon. Members opposite cannot control themselves and desist for a short time at least from interruption. I have no difficulty in controlling myself while hon. Members are speaking. I assert, then, that it cannot be said that there is any difference of opinion between us to the facts that the Plan of Campaign exists on certain estates in Ireland, and that it is an illegal conspiracy, that boycotting exists, and that boycotting is illegal, that intimidation exists and is illegal, and that meetings are called in Ireland which, by the common law of England as well as Ireland, are illegal. It is not denied that hon. Gentlemen are using what has been described as the land war to interfere with the rights of property in Ireland, property which its possessors hold by laws common to England, Ireland, and every civilised country. These facts cannot be denied. The only men who have been mentioned to-night as bad landlords in Ireland, or as obnoxious to hon. Gentlemen opposite, are Mr. Olphert and Mr. Ponsonby. It is admitted that an illegal conspiracy exists on the estates of both these gentlemen. We do not differ, then, as to the fact that by these means—by these illegal conspiracies, by this illegal intimidation, by illegal boycotting—it is sought to carry out a political object in Ireland. It is admitted. Now, every man, English or Irish, has an absolute right to hold what views he pleases upon the subject of Home Rule. He has the right to advance those views

by what means he pleases so long as they are legal means. But to attempt to advance those views by the illegal methods to which I have alluded is not and cannot be tolerated by this Government, and I believe could be tolerated by no civilised Government in the world. The hon. and learned Gentleman who has just sat down talked as if the present *régime*, as he described it, was going to end with this Government, whose demise he anticipates will occur at the next General Election. I take his hypothesis. I will assume, for the sake of argument, that the present Government comes to an end at the next General Election, and I ask whether the Government who are going to succeed them will tolerate illegal conspiracy? I ask whether they are going to tolerate the Plan of Campaign, whether they are going to tolerate boycotting and intimidation? Let the gentlemen who think they are going to succeed us at the next General Election, get up and say that that is so. If it is not so, what right has the hon. and learned Gentleman to draw a distinction between the policy of this Government and a policy which he thinks will be pursued by our successors? So long as you mean to maintain civilisation in Ireland, under Home Rule or British rule, or any other rule, you will, whether you like it or not, be forced to carry out the policy of the present Government—a policy which is not yet, thank Heaven, a monopoly of the Conservative or Unionist Party, but is approved by every civilised country. And if he asks me what would be the epitaph written over the policy of this Government when our existence shall be brought to a summary termination, the answer I give him is this—"While we held office and power in Ireland we did our duty." We protected the weak; we defended the rights of every citizen; we saw, in so far as in us lay, that every man who desired to fulfil his lawful avocations should be allowed to fulfil them, in spite of the action of a political party, and the fact that we did so to the best of our power is the best epitaph that can be given us, and the only epitaph, so far as I am concerned, which I desire to have writen over the administration of the Conservative Government.

(11.22.) MR. DILLON: We have just listened to a speech which I venture to say will bring home to the mind and heart of every Nationalist in Ireland the feeling and the sense of the coming triumph of our case. The Chief Secretary has asked whether if the Liberal Party come into power they will tolerate boycotting and criminal conspiracy and intimidation in Ireland. I will answer that question, and I think I can answer it conclusively when I tell the Chief Secretary that on the day when the Liberal Party come back to power, the very advent of that Party into power will do what all the Coercion Acts of ten generations have not been able to do, namely, to exorcise from Ireland for ever the spirit of conspiracy of outrage and of crime. The right hon. Gentleman has told us that he has protected the weak. Why, it was only a day or two ago since we heard a wail from the right hon. Gentleman that, notwithstanding all his police shadowing and despotism, intimidation rages triumphant in Tipperary. After four years of coercion in Ireland we have the hon. Member for South Tyrone standing up in the House this evening and appealing to the right hon. Gentleman to protect certain people in Tipperary from intimidation and boycotting.

MR. T. W. RUSSELL: I rise to order. I object to any discussion on my speech which I was not allowed to make.

MR. DILLON: I congratulate the hon. Member, who has just perpetrated one of the finest of Irish bulls. What did the right hon. Gentleman say in the course of his eloquent peroration? He said their consolation would be when they were driven from office that they had done their duty in Ireland, and that they had endeavoured to protect the weak. But, Sir, it is we who have been endeavouring to protect the weak against frightful odds—against the armed forces of the Crown, prostituted by the right hon. Gentleman on behalf of a class who, with their ancestors, have been for generations the persecutors and oppressors of the weak in Ireland. Our organisation placed in the hands of a defenceless and helpless tenantry the means of resisting an intolerable oppression. The idea of protecting the weak entertained by the hon. and gallant Member for North Armagh is planting his foot on the neck of the people——

COLONEL SAUNDERSON: I rise to order. I am sorry to interrupt the hon. Member, but I certainly have not expressed any such view.

MR. DILLON: The hon. Member's view is to wage war to the death with three-fourths of the people of Ireland. I maintain it is we who have the right to boast that we have protected the weak, and the statement of the right hon. Gentleman to-night will have the effect of making still more popular our organisation; for has not the Chief Secretary spoken of the landlords as the weak class, and has he not admitted that the policy of the Government has been to champion them? Now, the right hon. Gentleman is a very self-satisfied man, and I have no belief that anything we may say against the Government will have the slightest effect. I congratulate him on having a mind of that character, because it is a very necessary qualification for anyone who has to work the present system in Ireland, and I have always said that I do not think there could be a more ideal Chief Secretary than the present Chief Secretary. I think he has made the Irish Government more unpopular than all his predecessors have succeeded in doing. In this respect I feel a considerable debt of gratitude to the right hon. Gentleman, because he is playing our game in some ways in Ireland more effectually than we are playing it ourselves. The right hon. Gentleman seems to have a notion that we have no complaint to make against him. I have heard a good many complaints made against the right hon. Gentleman this evening, but I have noticed that whenever a case is made out against the right hon. Gentleman, and he is unable to dispose of it, he always says it is a matter of the most trifling importance. About a week ago, at the Crystal Palace, the right hon. Gentleman declared that the importance of the Licensing Clauses of the Local Taxation Bill was greatly exaggerated, and that, in his opinion, they constituted a matter of the most trifling importance. We may be permitted, I think, after the Barrow election, to hold a different view, and the Conservative Party throughout the country holds a different view. I now come to some of the complaints I have to make against the right hon. Gentleman. My first complaint is of the character and tone of the right hon. Gentleman's answers to the questions we put to him in this House. The right hon. Gentleman, when charged on this point the other day, said that if we did not like the tone and the nature of the information which he gave in his answers we had an easy remedy, and that was to abstain from asking questions. But, as my hon. Friend the Member for Longford (Mr. T. M. Healy) pointed out, we have an easier remedy than that, and this is to stay at home in Ireland. ["Hear, hear!" *from the Ministerial side.*] I am extremely obliged to hon. Gentlemen opposite for that cheer; but in 1886 when it was proposed that the Irish Members should stay in Ireland, in order to transact the business of their country, Member after Member of the Tory Party rose and said that they would never consent to it. I recommend this fact to the attention of the Committee and of the people of the country, that the Irish Members are now considered to be a nuisance, and out of place in this House; but that when it comes to be a question of going home to Ireland, and attending to the business of our country in Dublin, we are told that our presence in this House is necessary for the unity of the Empire. Do hon. Members opposite suppose that by dragging us from our homes, and then insulting us, they are contributing to the unity of the Empire? This statement of the Chief Secretary that if we do not like his answers we can refrain from asking questions is an excessively impertinent and insolent one. I go further, and say that it is utterly unworthy of a Minister responsible for the Government of a country like Ireland. Surely the Irish Members are entitled, as the Representatives of the people, to ask questions dealing with the administration of their country.

MR. A. J. BALFOUR: I do not wish to interrupt, but I was speaking not of the tone, but of the substance of my answers. The hon. Member surely knows that when a question is asked of a Minister the Minister, of course, gives the information which he obtains from official sources.

MR. DILLON: I was coming to the question of the substance of his replies, and I think I shall show the House that in his speech just now the right hon.

Gentleman absolutely and completely gave the go-by to all the complaints we have made in that regard. The right hon. Gentleman asked whether there was any real, substantial difference as to contemporary facts in Ireland between him and the Members of the Opposition. A more extraordinary question has never been asked. The question rather ought to be, "Can you find any fact on which we agree?" The right hon. Gentleman says that the facts in regard to the contemporary state of Ireland are admitted on all hands, and then he plunged into a long string of statements of opinion. But we have not asked the right hon. Gentleman to state whether the Plan of Campaign is in force on estates in Ireland, whether boycotting is illegal, or whether intimidation prevails. Those are questions of opinion. The objections we have to the substance of his answers are to this effect, that when we bring forward statements of fact, involving certain conduct on the part of the police, the gross misconduct of Magistrates and other officials in Ireland, we receive false and misleading information in reply from the right hon. Gentleman. We have convicted him, over and over again, out of his own mouth, of making statements that were inaccurate. In reply, the right hon. Gentleman says he can do no more than give the official information placed in his hands. This seems to me to be the *reductio ad absurdum* of the whole process. In reply to a question incriminating a Magistrate in Ireland, the right hon. Gentleman reads out, without inquiry or investigation, an answer concocted, perhaps, by the Magistrate himself, or by some of his subordinates. By this method of procedure the right hon. Gentleman declares to the country his incapacity to be at the head of an Administration like that of the Irish Government. Where a serious charge is brought against the officials of a district in England no Minister would dare to burke that charge without some investigation. When an Irish Member charges an offence against some official in Ireland, giving all the particulars, the Chief Secretary telegraphs to the district where the offence is alleged to have been committed, and the official, or his comrade, sits down and invents any lie he likes, and the right hon. Gentleman reads it out to the House of Commons, and absolutely refuses to make any further inquiry. Take the case of Mitchelstown. When I brought forward that case, gave my own experience, and produced two English Members of Parliament to corroborate all I said, and several independent English visitors, besides several newspaper correspondents, the right hon. Gentleman read out to the House the account furnished by the Magistrate in charge, Captain Segrave, and deliberately refused an investigation. He then, and on a subsequent occasion, made himself the champion of Captain Segrave. What was the result? After some time we discovered Captain Segrave to be a man of a character so scandalous that the right hon. Gentleman himself was obliged to dismiss him.

MR. A. J. BALFOUR: The hon. Gentleman will forgive me. Captain Segrave was not on the spot during the riot.

MR. DILLON: Captain Segrave was in command on that occasion.

MR. A. J. BALFOUR: The hon. Member accuses me of having given my account of what occurred at Mitchelstown on the authority of Captain Segrave. I did not. He ought to have been on the spot, but he was not.

MR. DILLON: The account was given on the authority of Captain Segrave and his comrades. Captain Segrave, I am informed, was on the spot before the shooting, and he was certainly on the spot immediately afterwards. The right hon. Gentleman, in the Mitchelstown Debate, and on subsequent occasions, championed Captain Segrave, who was afterwards proved to be a man who ought never to have been appointed to the magistracy, who was absolutely incompetent, and of a shockingly bad character.

MR. A. J. BALFOUR: It was not Captain Segrave's account that I gave. Of course, I gave the official information at my disposal, but my account was largely based on the account in the *Freeman's Journal*.

MR. DILLON: I am perfectly content to leave that circumstance to the judgment of the Committee. Then there is another case—a charge of moonlighting was made against a constable, named Palmer, one of the 150 armed constables

who are trying to keep order in Tipperary. One night Palmer left the barracks in a state of intoxication. He met some girls dancing round a bonfire, and, having grossly insulted them in the foulest manner, and struck two of them across the breast, came to the house of an old widow, and, after smashing every window, tried to burst in the door. Failing in that, he went to the next house and smashed some windows; but the owner of the house, who was a courageous man, jumped out of bed, and succeeded, with the assistance of his dog, in holding the constable till help came. The man was caught red-handed moonlighting. Surely if ever there was a case in which care ought to have been taken to bring the offender to justice this was one. But what was done? On the opening of the Inquiry before a Bench of Magistrates to-day, the District Inspector said that rather a long look would have to be made for Palmer, as he had a telegram from him stating that he had left Queenstown yesterday.

THE CHAIRMAN: As this is a matter affecting the conduct of the police it should have been discussed on the Police Vote.

MR. DILLON: I would point out, Sir, that it is not a question of the conduct of the police. It is a question of the conduct of the Executive Government. The man to whom I am referring is no longer a policeman, for he has been dismissed. The question is, Is he to be allowed to escape from justice because he has been a policeman? I charge the Executive with having allowed this man, caught red-handed in a felony, to escape from justice because he has been a policeman. Evidence was taken in the case, and the Magistrates, I suppose by way of a joke, inflicted a fine of £1. One of the things we have to complain of is that, when specific cases of violence by the police are brought before the right hon. Gentleman, he has always replied that the sufferers have a remedy at law. What remedy had the sufferers in the case to which I have just called attention? The police in Ireland are constantly violating the law, and the Executive systematically refuses to punish them, and when people seek a legal remedy the Executive places in the way every obstruction which a complicated legal machinery renders possible. I say this deliberately, that if the police in Ireland have committed a great many acts of violence their conduct is largely due to the tone of the right hon. Gentleman's answers to questions. The right hon. Gentleman says if we do not like the tone of his answers we had better not ask questions. I say we are entitled to ask questions, and we are entitled to get civil answers.

MR. A. J. BALFOUR: I am sorry to interrupt, but I never attempted to discuss the tone of my answers. What I have referred to is the substance of them. For the tone of my answers I am, of course, responsible, and I have not made any excuses for it.

MR. DILLON: We complain of the tone of the right hon. Gentleman's answers. I think Gentlemen opposite will admit that the Government of the right hon. Gentleman is irritating in its character, and the tone of his answers aggravates the position. Hon. Members opposite affirm that the Irish Members in this House are on a footing with the English and Scotch Members. [*Ministerial cheers.*] Yes; that is your theory, but your practice does not accord with it. An Irish Member in this House does not obtain the same justice as an English or Scotch Member. We are met by the Chief Secretary with gibe and insult, and a tone and character of answer which is never adopted by any English Minister. I think this is cause for complaint. It is still more a cause for complaint when we see reflected in the tones and the acts of his subordinates the spirit he displays at that Table. I never feel the least difficulty in restraining myself when I am attacked by the right hon. Gentleman. But it is a totally different matter when we cross the Channel. The gibes and insults of the Chief Secretary in this House may irritate some of my Friends; but it is a totally different matter when they are translated, as they are in Ireland by his underlings, into the batons and bayonets of his police, and the short sentences and hard labour of his hireling and profligate Magistrates. With the honourable exception of a few men, who are not allowed to sit on Crimes Act Benches, there is not a Resident Magistrate in Ireland who does not read and study every word spoken by the right hon. Gentleman,

and hence the insolent remarks and offensive tone of the right hon. Gentleman mean, to our people, additional suffering.

It being midnight, the Chairman left the Chair to make his Report to the House.

Resolution to be reported to-morrow.

Committee also report Progress; to sit again to-morrow.

SUPPLY—REPORT.

Resolution [8th July] reported.

CIVIL SERVICE ESTIMATES, 1890-91.

CLASS III.

"That a sum, not exceeding £389,490, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1891, for the expenses of the Royal Irish Constabulary."

Resolution read a first and second time.

Motion made, and Question proposed, "That this House doth agree with the Committee in the said Resolution."

*(12.3.) MR. H. GLADSTONE (Leeds): When this Vote was before the Committee the other day I raised a question as to the Charleville shooting case, and was surprised when the right hon. Gentleman the Chief Secretary said he could not accept the statement of myself and the hon. Member for North-East Cork that no further action would be taken against District Inspector Concannon. I have now received this telegram—

"Action Nolan against Concannon won't be proceeded further with.—Wm. J. Fitzgerald, plaintiff's solicitor, Mallow."

Perhaps the right hon. Gentleman will take that as authoritative. I wish to ask the right hon. Gentleman what course he proposes to take with regard to the police who were guilty of wantonly and illegally shooting at an innocent, unarmed, and orderly crowd? There were about 70 citizens on the platform of the railway station that night. Four shots were deliberately fired with intent to wound or kill. The right hon. Gentleman told us to-night that the epitaph he desires to be written on his administration in Ireland is that he defended the rights of every citizen. How does the Chief Secretary propose to vindicate the rights of those citizens of Charleville, and what course does he propose to take with regard to the expenses of the police in the trials in Dublin?

(12.5.) MR. A. J. BALFOUR: Now I know, for the first time, that no further proceedings will be taken, I shall, of course, examine into all the facts connected with the trial.

(12.6.) MR. T. M. HEALY: The right hon. Gentleman must not suppose that the matter is to be disposed of in that way. He tells us below the Gangway that we need not ask him questions. He has been asked a question now, not by an Irish Member, but by the son of an ex-Prime Minister and of a future Prime Minister, and we have heard what answer he has given across the floor of the House, on the pretence that it was never the duty of the right hon. Gentleman to examine into the brutal and blackguardly conduct of Concannon, or to bring his mind to bear on the declaration of Chief Baron Palles, or Mr. Justice Murphy. That is a specimen of the right hon. Gentleman's answers to questions on a matter of the most vital importance in regard to Ireland. What, under these circumstances, can the obscure Irish Members, who are taunted with poverty, and with not being good enough to sit in an assembly of this kind, what are mere creatures like us to expect? Sir, we shall insist upon having something like a definite statement before the Report of this Vote is agreed to. The Lord Chief Baron told the Jury that the gathering was not an illegal assembly. The Jury were unable to say whether, as a matter of fact, the injury to the plaintiff was inflicted by Concannon's bullet; but it was admitted that the police fired upon this unarmed and inoffensive crowd, with the view, as they swore, of taking life. The Jury were told that they were not entitled to consider whether the police were justified in firing, but it is a question for the Government and for the House. If it had been a case of batoning the people in Trafalgar Square, the Home Secretary would not have professed in the House of Commons that he had not considered what had been said by any London Magistrate, or he would not have held his place 40 minutes. We have a right to know whether Concannon's

expenses are to be paid by the Government or not. There is no device too mean or contemptible for the Government to resort to. In the case of Father Kennedy, who obtained a verdict for £100 against the police, for breaking into his house, application has been made for a new trial, which cannot be argued until November, solely in order to put the case over the present year's Estimates. We know that the police expenses will be paid in that case, and that Concannon's expenses will be paid. The Government will not have the face to put them in the law charges, but they will pay them out of the Secret Service Fund. If a policeman were to stab the Leader of the Irish people in Sackville Street, Dublin, and the Government did not back up the man and pay his legal expenses, that moment the entire system would crumble away. The right hon. Gentleman is tied to a system which I do not hesitate to describe as an infernal system. I denounce that system which puts into the hands of every drunken braggadocio who is in the service of the Irish Government the right of firing off his weapons as he will, knowing that the greatest intellects at the Irish Bar, and the virtual Leader of this House, the rising hope of a stern unbending power are bound to defend him through thick and thin. As the right hon. Gentleman tells us he cannot answer to-night, we tell him we cannot give him this Vote to-night. We shall be prepared to discuss the Vote as soon as the right hon. Gentleman is in possession of information, and, in the meantime, I have the honour to move that the Debate be now adjourned.

Motion made, and question proposed, "That this Debate be now adjourned."—(*Mr. T. M. Healy.*)

(12.20.) MR. A. J. BALFOUR: I have already addressed the House, and I suppose I should be out of order if I discussed the arguments put forward by the hon. Gentleman.

MR. T. M. HEALY: I will withdraw the Motion if the right hon. Gentleman wishes to discuss what I have said.

Motion, by leave, withdrawn.

Question again proposed, "That this House doth agree with the Committee in the said Resolution."

Mr. T. M. Healy

MR. A. J. BALFOUR: Of course, I only speak by the leave of the House, and what I say shall be put in the most uncontroversial language. I do not think the hon. Gentleman opposite (Mr. H. Gladstone) could complain of the tone of my answer to his question, though, of course, he has a right to complain, if he likes, of the substance of it. Let me remind the House of the exact position in which we stand. I have learned to-night, at a quarter-past 12 o'clock, from a telegram sent not to me, but to the hon. Member for Leeds, that the case which all the Irish papers have agreed in stating would be proceeded with has come to an end, and I am now asked, at 20 minutes past 12 o'clock, to state the exact course the Government intend taking in reference to it. It is perfectly true that I have read the charges of Mr. Justice Murphy and Lord Chief Justice Palles, but not with the care I should have done had it been a question of taking judicial proceedings. It is quite true, however, that both those learned Judges appear to have said that the meeting in question was a perfectly legal one, and that there had been no probability of a rescue being attempted. But what course should be taken on these facts I must absolutely decline to deal with at five minutes' notice. The hon. and learned Gentleman (Mr. T. Healy) has said that if the Home Secretary had been asked a similar question he would have given a reply at once. I am perfectly certain that my right hon. Friend would have absolutely declined, unless he had time to weigh the facts and to consider the whole of the circumstances, to decide what course should be taken with regard to the costs. It would be a great dereliction of duty on my part if, after a Debate which has now gone on, as far as I am concerned, since four o'clock this afternoon, and which in my case was preceded by a no less heated Debate between 12 and 3, I were to say I was in a condition to give a judgment to the House which may affect the future of all the policemen concerned. I am sure the House will see that, in refusing to give a decision now, I am not only acting with no discourtesy to the hon. Member for Leeds, but I am taking the only course which every impartial Member of the House will not condemn.

(12.24.) MR. J. MORLEY (Newcastle-upon-Tyne): To a large extent I agree with the observation of the right hon. Gentleman that it is not to be expected from him that he should be prepared to state the course that the Government will take in this matter, which admitedly is one of considerable importance, at five minutes' notice. But if it is impossible for the Government to determine what course they will pursue in reference to the matter at this short notice, certainly the House of Commons cannot be expected to part with their control of the subject until the decision of the Government is announced. The matter was brought forward with every particularity and circumstance by my hon. Friend the Member for Leeds, on Monday last, and all the right hon. Gentleman the Chief Secretary then said, was, that he could make no further statement respecting it because it was *sub judice*. The right hon. Gentleman appears now to know no more about the circumstances of this important case than he did on Monday last.

MR. A. J. BALFOUR: It was not over.

MR. J. MORLEY: I do not care whether it was over or not. It was the right hon. Gentleman's duty, in my opinion, during the four days that have elapsed, to make up his mind on the *primâ facie* case, at all events, and to acquaint himself with the circumstances, so that he might have been enabled to say more to-night than that he will make inquiry. It is monstrous to ask the House of Commons, by passing this Vote, to part with the whole subject, and to leave it entirely to the judgment of the right hon. Gentleman whether we are ever again to have an opportunity of discussing it.

(12.27.) MR. A. J. BALFOUR: May I say I believe the question would more properly come up on the Law Charges Vote?

MR. T. M. HEALY: As a matter of order, I wish to say that we were told by the right hon. Gentleman, as a reason for closuring the Vote the other night, that we could discuss everything we wished to discuss on the Police Vote upon the Vote for his own salary. Now he tells us we can discuss on the Law Charges Vote what we want to discuss on this Vote. We have to reckon with the Chairman of Committees.

(12.28.) MR. J. MORLEY: I submit, with all respect for the right hon. Gentleman, that this is a topic which concerns the conduct of the police. It is not a point which entirely affects the law charges. This is the way that Irish subjects are always dealt with. Any occasion is fit to discuss a charge except the present occasion. On Monday the right hon. Gentleman could not deal with it because proceedings were then going on. To-night he cannot deal with it, first of all, because he has not yet received the necessary information, and secondly, because we are able to discuss it at some other time. Why was the Vote closured on Tuesday night? I can understand what may have been in the minds of the Government, but, having availed themselves of the Closure on Tuesday, it is rather too bad to come down now and say that this Vote must be passed without the question being raised upon it. I feel this so strongly that, whatever my hon. Friend the Member for Longford has done, I beg to move the adjournment of the Debate.

Motion made, and Question proposed, "That this Debate be now adjourned."—(*Mr. J. Morley.*)

MR. A. J. BALFOUR: I do not wish to insist on the Vote. I am sorry the right hon. Gentleman has taken this course, but, perhaps, it would be better if I put off the Vote.

Question put, and agreed to.

Debate adjourned till Monday next.

PRIVATE BILL PROCEDURE (SCOTLAND) BILL.—(No. 214.)

Order for Second Reading read, and discharged.

Bill withdrawn.

COURT OF CHANCERY OF LANCASTER BILL [LORDS].—(No. 363.)

COMMITTEE.

Order for Committee, read.

MR. CONYBEARE (Cornwall, Camborne): I object.

MR. BRUNNER (Cheshire, Northwich): I trust my hon. Friend will not object. The Bill is desired by all commercial communities in Lancashire as well as by the legal profession.

Committee deferred till Monday next.

PUBLIC LIBRARIES ACTS AMENDMENT BILL.—(No. 167.)

Order for Bill, as amended, to be considered read.

DR. TANNER: I object.

MR. BRUNNER: I appeal to my hon. Friend to withdraw his objection.

DR. TANNER: I protest against important Bills being proceeded with at this time of night. I shall continue my objection.

Consideration, as amended, deferred till Monday next.

NEW LICENCES (IRELAND) BILL. (No. 249.)

Order for Committee read.

MR. T. M. HEALY: In view of the opposition of the hon. Member for South Tyrone, I beg to move that the Order be discharged. This is a Bill for the promotion of temperance in Ireland; but it is objected to by the temperance advocate, the Member for South Tyrone.

*MR. T. W. RUSSELL: I may be permitted to say I oppose this Bill because the 3rd clause makes it a Licensing Bill.

Order for Committee read, and discharged.

Bill withdrawn.

REMOVAL TERMS (SCOTLAND) ACT (1886) AMENDMENT BILL.—(No. 342.)

COMMITTEE.

Bill considered in Committee.

(In the Committee.)

Clause 1.

DR. TANNER: I object.

MR. MARJORIBANKS (Berwickshire): I hope my hon. Friend will not object to this Bill going through. This is a very small Bill indeed; it is merely to secure that the 28th of May shall be the uniform removal term.

DR. TANNER: I have laid down a rule, otherwise I should be very glad to withdraw my objection.

MR. MARK STEWART (Kirkcudbright): I appeal to the hon. Member to let the Bill go through. It is important that a uniform date should be fixed, and the Bill has the approval of the whole of Scotland.

DR. TANNER: I do not like to object to a Bill that the hon. Gentleman takes an interest in, but, having made a rule, I must adhere to it.

Committee report Progress; to sit again to-morrow.

FISHERIES REGULATION (SCOTLAND) BILL.—(No. 53.)

SECOND READING.

Order for Second Reading read.

MR. MARJORIBANKS: I hope the Lord Advocate will now say what course the Government intend to take in regard to the fisheries proposals of themselves and myself?

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): The Government Bill has not yet passed through the House of Lords. I may say the question has been considered by the Secretary for Scotland, and he does not think it would conduce to prompt legislation if the course suggested by the right hon. Gentleman were adopted.

Second Reading deferred till Monday next.

MOTIONS.

LICENSING (SCOTLAND) ACTS AMENDMENT BILL.

On Motion of Mr. Vernon, Bill to amend the Licensing (Scotland) Acts, ordered to be brought in by Mr. Vernon, Mr. Baird, Mr. James Campbell, Mr. Haldane, and Mr. Williamson.

Bill presented, and read first time. [Bill 376.]

SHREWSBURY AND HOLYHEAD ROAD (ANGLESEY AND CARNARVON) BILL.

On Motion of Mr. Long, Bill to make further provision concerning certain portions of the Shrewsbury and Holyhead Road, ordered to be brought in by Mr. Long and Mr. Ritchie.

Bill presented, and read first time. [Bill 377.

House adjourned at a quarter before One o'clock.

HOUSE OF LORDS,

Friday, 11th July, 1890.

LORD CARBERY (CLAIM TO VOTE FOR REPRESENTATIVE PEERS FOR IRELAND).

Ordered and Directed, That a Certificate be sent by the Clerk of the Parliaments to the Clerk of the Crown in Ireland, stating that the Lord Chancellor of the United Kingdom has reported to the House of Lords that the right of the Lord Carbery to vote at the elections of Representative Peers for Ireland has been established to the satisfaction of him the said Lord Chancellor; and that the House of Lords has ordered such Report to be sent to the said Clerk of the Crown in Ireland: And it is hereby also Ordered, That the said Report of the said Lord Chancellor be sent to the Clerk of the Crown in Ireland.

THE CONDITION OF IRELAND.

THE EARL OF CAMPERDOWN, in rising to call attention to recent occurrences in the town of Tipperary and on the Ponsonby Estate in the County of Cork, and to the action in connection therewith of the National League, said: My Lords, the condition of things which prevails, and has for some time prevailed, in and near the town of Tipperary is so remarkable that I think it deserves the consideration of this House and especially I hope that it will obtain due attention from the country. In Tipperary we see the extraordinary spectacle of a large number of tenants at issue with a landlord, who is admitted to be one of the best landlords in Ireland, and for whom the tenants themselves had before recent occurrences always shown the greatest respect. They are tenants not merely of agricultural farms, but also of urban holdings, and many of those who have urban holdings pay to Mr. Smith-Barry merely a small ground-rent and have erected valuable tenements with their own capital. None of the agricultural tenants have complained of the rents they are called upon to pay. Yet we see the extraordinary spectacle of men quitting fine shops, substantial houses, and good farms, ruining themselves and sacrificing their business for some reason which it is very difficult to understand. But one thing is plain, and it is that all this is done under the guidance of the local and the central leaders of the National League. The instrumentality of the National League is beyond all doubt and question; and it is very fortunate it is so in this case, because we are thus enabled to see the National League in its working, and to test how far the statements of its leaders which are made in Parliament are true; we are also enabled to examine the working of their organisation, which is conducted upon fixed principles and upon a regular plan. That plan I shall proceed to lay before your Lordships. I do not think it would be possible to get a more excellent illustration, of the methods of the National League than we have in this case. If your Lordships wish to understand this matter aright you must look at the question as a whole; you must not limit yourselves exclusively to what is now going on in Tipperary; but you must go back to the causes and to the origin of this dispute between Mr. Smith-Barry and his tenants. For that purpose it will be necessary to allude for a moment to what has taken place upon the Ponsonby Estate, near Youghal. When Mr. Ponsonby succeeded to the estate a great many years ago, it was well-known to be in a somewhat encumbered position. He has resided a good deal on the estate from time to time, and he is well acquainted with all the circumstances of his tenants. That their rents were moderate was shown by the fact that out of 237 tenants only some 70 served originating notices under the Act of 1881, and that out of those 70 only 27 went into the Courts, the remaining rents being settled by private agreement. The average reduction taken over the whole estate was rather less than 13 per cent. In 1885 Mr. Ponsonby gave reductions of 10 and 20 per cent. to his judicial and to his non-judicial tenants respectively; and in 1886 he made the same offer. But by that time the Plan of Campaign had been organised. On the 14th of November in that year a meeting of his tenants was held, at which Mr. Lane, M.P., and Dr. Tanner were present, and at this meeting reductions of 25 and 35 per cent. respectively were demanded. As that was not

acceded to, the Plan of Campaign came into force on the estate, and from that time to the present not a penny of rent has, I believe, been paid upon that estate. Mr. Ponsonby made several attempts to arrange with his tenants, into the details of which I need not go; and, finally, in November, 1888, he authorised a former agent to accept a sum of £110,000 in full for the purchase of the estate. The tenants, through their representative, Canon Keller, offered £106,000, but also claimed to deduct Government charges amounting to some £16,000, which made the offer about £88,500 net. That offer Mr. Ponsonby's Trustees found it impossible to accept. It was at this point Mr. Smith-Barry, and others associated with him, appeared upon the scene. They saw that an attempt was being made to commit a very great act of injustice upon Mr. Ponsonby; they saw that this was an attack made upon a single landlord who was supposed to be in such circumstances that he was unable to resist it, and that it was intended to break him down by the sheer force and pressure of the principles of the Plan of Campaign. Therefore, Mr. Smith-Barry and others determined that they would help Mr. Ponsonby in this matter, and they purchased the estate. But before doing so they insisted that a fresh offer should be made by Mr. Ponsonby to his tenants, and that accordingly was done. By a circular of April 5, 1889, Mr. Ponsonby offered to every tenant, all then owing nearly, or quite, four years' rent, on the payment of one year's rent, either that their future rent should be fixed by agreement or through the agency of the Court, and that 3 per cent. should be paid by them on the balance of arrears, which should remain; or, if the tenants preferred to purchase, he proposed to sell to them under the terms of the Ashbourne Act at a price which would greatly diminish the present payment and would have made them owners of their holdings in 49 years. But all those offers were rejected, and the consequence was that in June of last year Mr. Ponsonby began to carry out evictions upon his estate. Now at this point I would ask your Lordships to note a fact which seems to me very important. It is this: that in the eyes of the National League it is perfectly right that Members of Parliament should go down to estates with which they have nothing to do, and of which they know nothing, to incite the tenants to join the Plan of Campaign or to take any other course they choose to advise; but if any friends of a landlord who is attacked attempt to assist him, that is a monstrous act of tyranny which must be immediately avenged by the National League. Mr. Smith-Barry, as I have said, is one of the very best landlords in Ireland. It is admitted that he takes the greatest interest in his estate and in those who are upon it, and he has expended large sums of money upon it in the same way that many of your Lordships have done in England and Scotland and Wales; and if we wish for any testimony to his character as a landlord, Sir Charles Russell selected him when speaking before the Special Commission, and said that he was a good landlord, and that he (Sir Charles Russell) was glad to be able to mention him as an instance of a landlord who was not merely considerate in the matter of rent, but as a landlord who took an interest in the condition of his people, and in all that concerned them. His tenants have said precisely the same thing in a memorial which they brought to Mr. Smith-Barry in London last year. If you want further evidence, you have the evidence of Mr. Healy. Mr. Healy has said that Mr. Smith-Barry could not be fairly described as a rack-renter. Mr. Parnell has stated in a speech, and it has been repeated over and over again in the other House, that Mr. Smith-Barry prevented a settlement on the Ponsonby Estate. That is not the fact. The difference between the landlord and the tenants was no less than £20,000 out of £110,000. Mr. Smith-Barry did not have any dealings with Mr. Ponsonby or his estate until his offer had been definitely refused by the representatives of the tenants. The next thing that is said is that Mr. Smith-Barry's tenants rose of their own free will to assist Mr. Ponsonby's tenants. Now I shall ask your Lordships to listen to the manner in which this agitation on Mr. Smith-Barry's Estate arose. The agitation on Mr. Smith-Barry's Estates was started in the first place by Mr. Lane, M.P., in a letter to the *Freeman's Journal* of the 11th of March, 1889, in which he said that—

"If Mr. Smith-Barry devoted his rents to fighting the 300 and odd tenants on the Ponsonby Estate who nobly took the van in the last struggle to obtain justice for Irish tenants he might find it would not be to his advantage."

In a letter to Mr. Townsend, Mr. Lane, M.P., again pointed out that—

"Sooner or later every one connected with this interference would regret their co-operation in it."

The next thing was a speech of the Secretary of the Youghal Branch of the National League, saying—

"It was time that Mr. Smith-Barry was taught a lesson, and he hoped the Tipperary tenants would consider the position of their brethren on the Ponsonby Estate."

Then, on the 28th April, Mr. Lane, M.P., again speaking at a place close to Tipperary, denounced Mr. Smith-Barry and said—

"We will make man-hunting a dear amusement to him."

On the 2nd May there was another meeting close to Tipperary; Dr. Tanner was there, and he called upon—

"The men of Tipperary to boycott Mr. Smith-Barry in every possible manner."

Another Irish M.P., Mr. John O'Connor, was also present, and spoke to the same effect. Then the next thing was that, on the 5th May, 1889, another meeting of the Tipperary League was held in the Town Hall of Tipperary, which, by the way, Mr. Smith-Barry built for the town and allowed public meetings to be held there at any time without any charge. On the 30th May again the National League of South Tipperary held a meeting, and Mr. O'Neill, who had been sent from Youghal by Canon Keller, spoke against Mr. Smith-Barry. Then, on the 23rd June, Mr. O'Brien attended a meeting at Tipperary of Mr. Smith-Barry's tenants, and delivered a speech, in the course of which he said—

"The tenants can, and I venture to promise they will, combine to warn Smith-Barry that if he is determined to create desolate homes on the Ponsonby Estate, his tenants may possibly be driven to leave him a desolate rent office of his own in Tipperary. I ask you to appoint a deputation to wait on Smith-Barry. What I ask you is, and I make no secret about it—I ask you, the Tipperary tenants of Smith-Barry, I ask you to appoint a deputation, who in the name of the whole body of tenantry, will be prepared to wait upon Mr. Smith-Barry, and upon Mr. Horace Townsend, and to address them in perfectly civil, but in perfectly determined, English. Let them say, 'We have given you no trouble upon your own estate: we want peace if we can possibly have it, but we are not going to stand idly by—it would be a crime and an eternal scandal if we did stand by—while our hard-earned money was used to inflict this abominable wrong upon our brother tenants.' Let them say to him, 'Give up this diabolical work—withdraw from this syndicate. Stand no longer between a settlement for these unfortunate tenants and their landlord.'"

And further on he said—

"And having said this much, I don't think that the deputation are bound to take Mr. Smith-Barry or Mr. Horace Townsend any further into their confidence as to what further course of action they may think it necessary to take. Possibly upon some future day—some future rent day—we may have an opportunity of consulting and of meeting here again, and of asking Mr. Smith-Barry once for all whether he has made up his mind to accept the same measure from his Tipperary tenants that he is meting out to-day to the Ponsonby tenants."

Mr. O'Brien was as good as his word, because on the 24th June he, accompanied by several Nationalist Members of Parliament, went round to all the shops in Tipperary with a memorial to Mr. Smith-Barry to the above effect, and a great number—nearly all—of the tradespeople signed it. At the same time, a gentleman was sent to Cashel to obtain signatures for it on Mr. Smith-Barry's Estate there. On the 26th June Archbishop Croke wrote approving of the combination, or as Mr. O'Brien had called "blessing their banners." My Lords, this is the manner in which this agitation was begun. It was begun not by the tenants themselves at all, as I have shown your Lordships, but by Mr. O'Brien and a number of other Nationalist Members of Parliament, and it was kept alive and fomented through the agency and instrumentality of the National League. On the 3rd of July the memorial to Mr. Smith-Barry was presented in London; and on the 10th of July Mr. O'Brien appeared at Tipperary on rent-day and made speeches announcing the Tenants' Defence League, and, no doubt, did everything he could to prevent the tenants from paying their rents. On the 9th of August Mr. O'Brien again went to Tipperary, when a resolution proposed, if I remember rightly, by some member of the National League, was passed at a meeting by which the tenants agreed to tax themselves 10 per cent. to raise a relief fund for the Ponsonby tenants, and to deduct 25 per cent. from Mr. Smith-Barry's rents—that is to say, the 10 per cent. they were going to sub-

scribe for the Ponsonby tenants, with 15 per cent. more for themselves—and at the same time making a strong protest against the use that they alleged was being made of what they termed "their hard-earned money." I ask your Lordships to consider what is the meaning of that term "their hard-earned money." That expression shows that Mr. Smith-Barry's tenants and the National League look apparently upon rent not as a payment due in exchange for advantages received, but as their own hard-earned money that was being extorted from them by their landlords, and which is to be spent only in such manner as I suppose they themselves shall approve. On the 24th of August the interests of a number of the tenants on the estate who had refused to pay their rents were exposed for sale, but out of five tenants' interests that were exposed for sale no fewer than four were bought in. At the next sale of tenants' interests, which took place on September 4, Mr. Redmond, Mr. Condon, and Mr. Gill, the Nationalist Members of Parliament, appeared on the scene, and still out of 20 tenants' interests put up for sale no less than 13 were bought in. Yet, in the face of these facts, we are constantly being told by the Irish National leaders that the tenants act and have acted of their own free will in the matter. Well, what followed immediately? As a consequence of some of the tenants having bought in their interests, or paid their rent, their windows were smashed and pickets were placed at their shops, black lists were made containing the names of all those who had paid, and they were boycotted in the most determined manner. This treatment had its effect. It had such an effect upon the tenants that by October 17 the greater number of those who had bought in their interests or had paid their rent had made their submission to the National League, and, finally (I wish to tell your Lordships the story as shortly as I can), all the conditions imposed by that body were accepted, and those tenants were replaced in the good favour of the National League. The local branch of the National League thereupon passed the following resolution:—

"That, having read with satisfaction the apology of those tenants who purchased their holdings at Thurles on September 4, and their pledge to act in the future in complete unison with the general body of their fellow-tenants, we suggest to them that as the next gale of rent becomes due on November 1, on that date they should notify formally and publicly to Mr. Smith-Barry their determination, as now expressed to us, not to pay their rents and to allow their holdings to be sold unless he has by that time retired from the Ponsonby Syndicate and granted his Tipperary tenants an abatement of 25 per cent., and we hereby resolve that upon their doing so the past shall be forgiven, and they shall be admitted into the ranks of the combination."

That was the condition of things on the Smith-Barry Estate at the end of October; and since that time many further outrages have been perpetrated upon this estate, an account of some of which was read to your Lordships the other night, and with regard to which I shall have one or two further remarks to make. The representatives of the National League in the other House of Parliament have stated over and over again that no intimidation has been practised upon the tenants, but that what has been done by the tenants of the Smith-Barry Estate has been done by them of their own free will, and they have protested that the National League is simply carrying out the will of the whole united country. I will ask your Lordships to listen to one or two cases of intimidation which I have before me. The noble Lord the other night, among the instances he gave in reply to my request for information, referred to the case of Mr. Holmes, a Presbyterian minister, who was boycotted for dealing with a boycotted trader; his daughters went into the town of Tipperary to purchase some goods and they were insulted, and, I think, stoned. Another case was that of Mr. O'Neill, a draper, who had the finest shop in the whole town of Tipperary; was compelled to close his premises after two months' boycotting, and his business, the goodwill of which was stated to be worth at least £10,000, has been entirely destroyed, and he has been obliged to remove, leaving his shop in a ruined and ruinous state, and go into an old butter store. Another case is that of a man named Duggan, an ironmonger, who for a long time stood out and refused to comply with the demands of the National League until about 10 days ago, when he at length surrendered on a bomb being thrown at his door, which exploded, fortunately

without doing very much damage, but which so much alarmed him that he sent in his submission to the National League. And now I will call your Lordships' attention to a meeting which took place in Tipperary on the Sunday before the 4th of the present month of July on which date a report of it appeared in the *Tipperary People*. I think it is the very best evidence that your Lordships can have of the manner in which this agitation is conducted, because it is the report of a meeting of the Tipperary National League, Father Humphreys, the parish curate, of whom we have heard a good deal, was in the chair, and Mr. John Cullinane, who is, I believe, the local organiser of the Land League, was present with a very large number of other members of the League. I wish to read to your Lordships what Father Humphreys said as bearing upon this question of intimidation. He said—

"It is my pleasant duty to absolve from public censure three of our Tipperary tenants. One is Mr. McCurtin, of Killane. His offence has been going into a boycotted shop. He has expressed the most sincere sorrow for having done so, and he has promised not to repeat the offence, and we take that as a sufficient guarantee for his good conduct in the future. The other is Mr. Hogan, in the main street. He incurred public censure"

—mark the term, "incurred public censure," my Lords. And for what? For sending a messenger to buy sugar at a boycotted shop.

"He says he did not know the shop in which he got it, but still public opinion pounced down very promptly on him, and on the very day that he became aware he had incurred public displeasure, he closed his shop and gave it up."

That is an instance of a man who, having sent a messenger for sugar, who happened to buy it at a boycotted shop, thought it necessary not only to repent of having done so, but to close his own shop and leave it.

"The next is the case of Mr. Joseph Duggan. He has sent us this note addressed to the Secretary of the Irish National League in Tipperary, pledging himself to fulfil the conditions."

The following is the letter:—

"Dear Sir,—I wish to fall into line with my fellow tenants on the Smith-Barry Estate, and to do so, first, by proceeding against Mr. Smith-Barry for an account due by him to me. Secondly, by clearing my farms—that is, by clearing all the cattle off them—before July 20, and serving notice of surrender before November 1 by taking immediate steps to procure premises, and removing from these in which I am at present carrying on business. Trusting that this will meet approval,

I am, dear Sir,
Yours faithfully,
JOSEPH F. DUGGAN."

Observe what Mr. Duggan has thought it necessary to do. Not merely does he leave his shop, but he also surrenders his farm, and he promises further to procure other premises. That is an expression which your Lordships may not understand, but which becomes plain from what is stated a little later. Mr. Humphreys says—

"There is one point in the surrender of Mr. Duggan, to which I specially call attention. He pledges himself to provide at his own expense accommodation for himself and his family in New Tipperary. The outlay of the tenants has been very heavy in the past, but this circumstance shows that the outlay is coming to a close."

Therefore, Mr. Duggan is to be compelled to purchase premises in New Tipperary; which means that he is to be obliged to pay part of the expenses which the National League have gone to in erecting these new buildings in the place which they call New Tipperary. Then Mr. Humphreys concludes his speech with this—

"I think we should now accept these conditions and remove the public censure from this gentleman. We should never exercise any form of coercion upon our fellow-countrymen except when it is absolutely necessary."

Out of Father Humphreys' own mouth the case of coercion and intimidation is demonstrated in direct opposition to what has been said elsewhere. In fact, his testimony was in direct contradiction to what was said on this subject by members of the National League in the House of Commons. Then Mr. Cullinan addressed the meeting, and so on. I need not detain your Lordships further with that. But I have a report of another meeting of the same sort, which took place on Sunday last. I will only detain your Lordships one moment by reading a sentence from it. Father Humphreys said—

"I have to announce to you to-day two more surrenders. We are most happy to receive these surrenders."

And then he puts the coercion question a little clearer. He said again—

"We do not wish to exercise coercion over anybody excepting as far as is necessary."

Therefore, wherever it is necessary, the National League are prepared to coerce any tenant who chooses not to fall in with their behests. Now, my Lords, that is the state of things existing at present on the Tipperary Estate. It is bad enough, but still I do not suppose that we can expect anything much better from the National League. What I do regret very much, and what I do think is a matter of much more serious importance, is that in this country one of the two great Parties of the State have associated themselves with the National League and supported it both in and out of Parliament. The Liberal Party at this moment, I regret to say, consider every question which comes up for discussion, every such matter as this Smith-Barry case, and other similar cases, only from the National League point of view. For instance, when a meeting is suppressed, as was the case a short time ago, on the 23rd May last, in Tipperary, they do not inquire who are the people who called the meeting, or what are their antecedents, whether they are such as would lead the Government to suppose that they are likely to induce the tenants to commit themselves to acts which are illegal and wrong; what they do is to take very much the same line as the Nationalist leaders themselves, and say, "Why is this meeting stopped; why are Members not allowed to address their constituents?" If Father Humphreys is "shadowed," the priest whose speeches I read to you just now, the Liberal Party do not consider what Father Humphreys has said or done; whether he is, or is not, declaring that he will exercise coercion over the residents in Tipperary; but what they say is that "It is a monstrous outrage to "shadow" Father Humphreys, and that on no account ought he to be interfered with." I regret to say that Mr. Gladstone, in considering this Tipperary matter, was most struck with the position which Mr. Smith-Barry has taken up. There was a letter written to him lately, in which it was pointed out that a widow lady who held a farm under Mr. Smith-Barry had her windows smashed and her whole staff of labourers and dairywomen frightened out of her service without notice, so that if the agent of Mr. Smith-Barry had not come to her help she could not have milked her 40 cows.

The Earl of Camperdown

Mr. Gladstone, in reply, when his attention was called to this, said—

"I am afraid your views and mine are widely apart on this subject. I could not enter into the matter without entering into the deplorable and exasperating conduct of Mr. Smith-Barry in resisting the settlement of the Ponsonby Estate: but if the windows were broken that was an unfeeling outrage which I should be glad to see punished."

But what Mr. Gladstone put in the forefront of the case was Mr. Smith-Barry's conduct in this matter. That is what strikes him most. But is it true that Mr. Smith-Barry has resisted a settlement on the Ponsonby Estate? The Nationalist Members have said so; but is it true in fact? It can be proved by letters and documents that he did nothing of the kind; that the difference between Mr. Ponsonby and his tenants was the large difference of £20,000, and that at the time when Mr. Smith-Barry interfered there was no prospect or possibility of a settlement at all. I wish I could stop there, but there is another matter to which I feel I must call your Lordships' attention. As I regard Mr. Gladstone as the leader of the Home Rule Liberals in the other House, so I regard Lord Spencer as the leader of the Liberal Home Rule Party in this House, and I regret to see that Lord Spencer, in the last speech of his which I have read with regard to the National League, used language which appears to me to deserve notice in this House. He was speaking at Wolverton on the 1st March, and he said—

"I do not say for a moment that the Land League and the National League have always carried out their agitation in a legitimate way; they may have gone too far and followed illegal paths. I deplore that, and always have deplored it; but I maintain that they had some justification for their agitation, on the ground of the serious grievances which existed not only in regard to the Land Laws, but also in regard to the Government of the country. It is not for us, therefore, to criticise too minutely the methods which have been followed, although we may deplore some of the results which have followed their action."

Now, my Lords, I must say that I cannot conceive any language more likely to encourage the National League in the courses they have taken than language of that kind. Ah! my Lords, is there any use in deploring outrages if you say at the same time, "We ought not to examine too minutely or closely into the

methods which are followed by the National League?" On the contrary; is it not a distinct encouragement to them? It is not as if these things were said by one of their own members; it is not as if they were said by Mr. Dillon or Mr. O'Brien or gentlemen of that kind, but coming from the noble Earl who has been Lord Lieutenant of Ireland, at a most important time, and under most important circumstances, I must confess that I, for one, at all events deeply regret the use of language of that description. My Lords, I gladly turn away from that. There is another argument which has been used in this matter, and which, I think, requires an answer. There are many persons belonging to the Liberal Party who point to Tipperary, and say, "How much does the position of affairs in Tipperary speak in favour of the present administration of law and order?" If Tipperary were the whole of Ireland, there might be something in that argument; but I will appeal to any Irishman—and there are many Irishmen present—to the declarations which have been made by public men, and by public men who are not on the Unionist side—I appeal to all who know Ireland, and who are interested in Ireland, whether the general condition of things in that country, in spite of what has occurred in Tipperary, is not much more favourable than it was two years or even one year ago. I have mentioned to your Lordships a few facts; I have restricted myself to facts and to speeches which I hope your Lordships will duly note, and which I hope will be duly noted throughout the country; and I am quite confident that if the public will only consider things as they are, if they will look at the existing facts, and will not be led away by rhetorical statements and figures of speech, the administration of Ireland and the people of Ireland will never be handed over to such a body as the National League.

*THE MARQUESS OF LONDONDERRY: My Lords, my experience of your Lordships' House has led me to believe that noble Lords on the Front Opposition Bench are singularly reluctant to discuss Irish affairs in this House. On the contrary, my experience leads me to believe that they unfortunately prefer proceeding to country towns and there addressing packed audiences, who are ready to cheer to the echo any sentiments submitted to them, than to bring those sentiments forward in your Lordships' House when face to face with Members of the Irish Executive, anxiously waiting—indeed, I may say, almost courting—inquiry into their administration of Irish affairs. Consequently, my Lords, it is with no surprise that, on the present occasion, I see no noble Lord on the Front Opposition Bench rising to express any opinion either with regard to the present state of Tipperary, which has been so fully discussed by the noble Earl opposite who has just sat down, or with regard to the action of Her Majesty's Irish Executive in recently suppressing the meetings proposed to be held in both Tipperary and Cashel. I confess, however, that I had expected from the noble Earl, who, on two occasions, had the great honour of representing Her Majesty in Ireland, some expression of opinion. The right hon. Baronet, who occupied the position of Chief Secretary to the noble Earl during two years of his second term of Viceroyalty, displayed no such reticence in another place. On the contrary, he lost no time in bounding to his feet and denouncing the action of the Irish Executive Government in the severest and strongest terms, in suppressing what he was pleased to term as "liberty and freedom of speech in Ireland." I can only characterise that performance of Sir George Trevelyan as one of consummate audacity; for this was the man who, during the two years that he occupied the post of Chief Secretary to the noble Earl, had suppressed no less than 45 meetings in Ireland; and he justified his action in suppressing those meetings in a speech delivered to his constituents during the time he occupied the post of Chief Secretary to the Lord Lieutenant, in which a passage occurs which I shall take the liberty of quoting to your Lordships. He justified his action by declaring that those speeches, which were made for the purpose of denunciation, were "just as much a part of the machinery of murder as the sword-cane and the pistol." This was the same man who, about three years ago, declared—

"He was not going to leave the Liberal Party because a certain number of people told him he must use fair words regarding the violent utterances and lawless actions of those who are conducting the Plan of Campaign in Ireland."

Now, I am fully aware that for suppressing those meetings, as I have said, Sir George Trevelyan suppressed them, the noble Earl opposite was primarily responsible. [Earl SPENCER: Hear, hear!] I consider the noble Earl was fully justified in his action in suppressing those meetings, because he knew full well that meetings held in disturbed districts, where violent and incendiary speeches were made, were invariably followed by disastrous results to the peaceable inhabitants of that part of the country; and I say the present Irish Executive would be unworthy the name of an Executive Government, let alone a responsible Government, if they had allowed those meetings to be held in Tipperary and Cashel when precedent and experience had taught them that such meetings were invariably followed by misery, discomfort, and on frequent occasions, I regret to say, outrage and danger to the peaceful and law-abiding inhabitants of the district, whose only fault was that they declined to subscribe to the unwritten law of the League; that they wished to pay their just debts, and enjoy those legal rights which are open to every one of Her Majesty's subjects in every part of the United Kingdom. I should like to ask the noble Earl has he forgotten the crime and cruelty that followed the speech — now a very famous one — delivered by his friend Mr. Parnell at Ennis some years ago, when he called upon the people of Ireland "to shun as a leper" anyone who "dared to break the unwritten law of the League?" and, if the noble Earl will allow me to refresh his memory as to the effect of such expressions as "making a man's life not a happy one," and that "wherever he goes his lot shall not be a happy one," I would refer him to the Report of the Judges of the Special Commission, which the noble Earl has alluded to, and from which I notice, by-the-way, he, in his speeches in the country, draws some curious deductions, but which he is exceedingly reticent in referring to in your Lordships' House, where he will find it declared that outrage and crime have followed the speeches of members of the League. To quote the words of no less a person than Mr. Gladstone, they have left their marks indelibly traced in blood." And now, my Lords, let me ask you, Who are the people who deliver these speeches and preach these doctrines? They are the former bitter foes —at the present time, I regret to say, the intimate friends—of the noble Earl opposite. They are men who have promulgated illegalities, who have promoted sedition, who have advocated intimidation, and whose violent language has invariably been followed by crime and outrage of the worst description. I read, some months ago in a newspaper, a parody of a song which had been nightly sung in one of the most popular of the London theatres, which describes so accurately the characteristics of those men, the friends of the noble Earl opposite, that I will ask your Lordships to allow me to quote from it—

"The *Irish World* and such like slime
They all disseminated;
They never denounced the scoundrels prime:
They caused the causes that caused the crime,
And knew they were doing it all the time
Whenever they agitated."

Such, my Lords, are the men—and it is indeed a pitiable thing to see—with whom the noble Earl and his Colleagues are at present hand-in-glove, and by whom, I think I may venture to use the expression, they are led by the nose; and let me remind you that this body of men have by no means forgotten the treatment, the very proper and just treatment, they received at the hands of the noble Earl and the Members of the present Opposition; but are secretly laughing in their sleeves at them and glorying in the knowledge that they have reduced to a state of abject subjection a fragment of the once great Liberal Party. In the course of the Debate which took place on the Irish Land Purchase Bill, introduced in March last in the House of Commons by my right hon. Friend the Chief Secretary, I noticed that Mr. Gladstone applied the epithet "chivalrous" to Mr. Parnell. Now, the Irish may be said to have many faults, though I do not admit it, particularly in the North; but I think if there is one characteristic of Irishmen it is that they possess a very keen sense of humour, and I think it must have been with a grim sense of humour that Mr. Parnell heard

himself described as "chivalrous" by Mr. Gladstone, the man who but a few years ago, at Leeds, described him in the following terms:—

"For nearly the first time in the history of Christendom a body of men has arisen who are not ashamed to preach in Ireland the doctrine of public plunder. . . . I will frankly take the case of Mr. Parnell as exhibiting what I mean when I say the state of things in Ireland is coming to a question between law on one hand and sheer lawlessness on the other. . . . Mr. Parnell says if the Crown of England is to be the link between the two countries it must be the only link; but whether it is to be the link at all is a matter on which he has not, I believe, given any opinion whatever. . . . Mr. Parnell is very copious in his references to America, but in all his references to America he has never found time to utter one word of disapproval of or misgiving about what is known as the assassination literature of that country."

My Lords, when I read that expression "chivalrous" as applied to Mr. Parnell by Mr. Gladstone I could not prevent my mind reverting to a paragraph I saw in one of the public journals some few months before, which informed the public and the world that Mr. Parnell had paid a visit to Mr. Gladstone at Hawarden Castle. I could not help imagining what must have been Mr. Parnell's feelings on that occasion. When he crossed the threshold of Hawarden he must insensibly have been reminded that the last threshold he crossed—I will not say at the invitation, but rather at the bidding, of Mr. Gladstone—was the threshold of Kilmainham; and when a short time later, he enjoyed, as I suppose he enjoyed, the hospitality of his host in the shape of dinner, he must have been insensibly reminded of that banquet held not far from this spot when Mr. Gladstone, amidst the enthusiastic cheers of his audience, announced that he had that very morning arrested Mr. Parnell and sent his a prisoner to Kilmainham Gaol. But, my Lords, if such were the feelings of Mr. Parnell with regard to Mr. Gladstone, what must have been the feelings of Mr. Parnell when he found himself taken, in every sense of the word, by the hand by the noble Earl opposite—the noble Earl, whom Mr. Parnell had not hesitated to accuse of "conspiring with informers for the purpose of obtaining victims to what he called law and justice, by any and every means, whether they were innocent or not"—the noble Earl, whom Mr. Parnell's followers did not hesitate to denounce in the most vehement, violent, and malignant manner, and who even went so far as to attempt to blacken his unspotted character by allegations of so horrible and disgusting a nature that I am somewhat reluctant to allude to them in your Lordships' House? I confess it was with considerable surprise that I read the denial of the then Chief Secretary (Sir G. Trevelyan) to the statement of the hon. Member for Tyrone when that hon. Member asserted that charges of a horrible character had been brought against him, for I shall never forget, if I live to the age of 100, that day in the House of Commons when Sir G. Trevelyan, stung to the quick by a more than ordinarily insulting and disgusting epithet from one of his now friends, his then greatest foes, turned upon those foes, and, with a face livid with passion and a voice trembling with rage, declared, amidst the enthusiastic cheers of every part of the House, except that part occupied by the Nationalist Members—"I may be Chief Secretary for Ireland, but I am an English gentleman." I would ask the noble Earl, will he corroborate the statement of his Chief Secretary, and deny that charges of a grave and horrible character were brought against him? Will the noble Earl follow Sir G. Trevelyan's example and contradict me when I say he was charged also by his Parnellite friends—

"With having struck murderous blows at the people under his charge, with having stopped at nothing—not at secret torture, not at subsidising red-handed murderers, not at sheltering black official villainy with coat of darkness, not at police quartering, blood taxes, the bludgeoning of peaceful meetings, the clapping of handcuffs and convict jackets upon Members of Parliament, Mayors, and editors, not at wholesale battues of hangings and transportations by hook or crook, not at burying the proofs of his victims' innocence in their graves."

Those charges were made in *United Ireland* on June 13, 1885. Will the noble Earl deny that? Will he deny that even more horrible charges than those were brought against him by the Nationalist Party? The noble Earl will not. His temperament is either less forgiving or his memory more accurate than that of his Chief Secretary. Before I resume my seat there is one point on which I should like

to say a few words. It is not altogether directly connected with the present question, but I shall perhaps be allowed your Lordships' indulgence for a few moments. When, four years ago, Mr. Gladstone flashed upon an astounded country his suddenly-devised scheme of Home Rule, the answer invariably given to us Unionists by our political opponents was that "Home Rule is necessary for Ireland, for Lord Spencer says so, and Lord Spencer has had nine years' experience of Ireland." With that argument I at once join issue. It is impossible—nay, I go further, and say it is absurd—to maintain that the noble Earl's present advocacy of Home Rule is derived from his practical experience of Ireland during the two occasions on which he was Lord Lieutenant of that country. During the whole of that time the noble Earl was diametrically opposed to Home Rule of any kind; and in support of this statement I will quote from a speech delivered by him at Bristol on November 14, some few months before he assumed the office of Lord Lieutenant for the second time, a passage which, I think, accurately expresses his then opinions with regard to the Home Rule question:—

"We must tell the Irish plainly that no Party in England, whether Conservative or Liberal, will put up with anarchy; and, what is more, that they are beating the air if they agitate for repeal of the Union. We hold that the continued union of Ireland with this country is of vital importance to us. We feel like the Americans, when the integrity of their country was threatened, and if necessary we must shed blood to maintain the strength and integrity of this country."

[Earl SPENCER: Hear, hear.] On entering upon his second term of office in Ireland the noble Earl succeeded to extraordinary powers of the most severe and stringent character. So severe and stringent were those powers that they enabled him to arrest on suspicion, and without trial, and to commit to prison, powers which remind me more of the *lettres de cachet* of the days of the Bastille than anything else in modern history. It was while in the enjoyment of extraordinary powers that the noble Earl, together with his Colleagues, went out of Office in June, 1885; but that he still held that extraordinary powers were necessary for the government of Ireland was shown by a speech which he delivered in your Lordships' House in January, 1886, when he denounced the Government of the noble Marquess, which had only been in office for a very short time, for not renewing some of the most important provisions of the Act of 1882. We now find the noble Earl advocating Home Rule for Ireland, though I believe I am correct in saying that from the moment he left Ireland in June, 1885, he has never again set foot in that country. Therefore, though I admit that the practical experience of the noble Earl in regard to Ireland, which is always, if I may use the expression, rammed down our throats, as to the strengthening of the law for the purpose of repressing crime and outrage, is great and invaluable, yet I equally maintain that the practical experience of the noble Earl with regard to Home Rule is worthless. I thank your Lordships for the indulgence which you have granted me. I do not address your Lordships as the late Lord Lieutenant of Ireland or as an Irish landlord, but as one of the Loyalists of Ireland—a body of men whom I regard as true and loyal supporters of the Crown and the Constitution in Ireland, but whom the noble Earl opposite has not hesitated to designate and describe as a miserable and despicable minority. I will not say behind the noble Earl's back, when addressing an Ulster audience, what I will say to his face in your Lordships' House; that I would infinitely prefer to be the most humble and lowly member of that loyal and patriotic body of men than occupy the present political position of the noble Earl opposite, who has renounced and repudiated every opinion he held during the time of his Lord Lieutenancy in Ireland; who has torn from his bosom those feelings which prompted and directed him to discharge his arduous and difficult duties so ably, so firmly, and so nobly, and who would now sacrifice—indeed, I should be justified in using a far stronger term with regard to the noble Earl's proposal—to hand over that loyal minority to be dealt with at the tender mercies of a disloyal majority. He would sacrifice those to whom he looked in times of difficulty and trouble, and to whom he knows very well he never looked in vain. The noble Earl is now subservient to the mandate of a

body of men who were truly described by the Attorney General of his day as being steeped to the lips in treason, and by his own Prime Minister as marching through rapine and plunder to the dismemberment of the Empire.

*EARL SPENCER: My Lords, I am afraid that I shall not be able, nor should I desire, to deliver so exciting an oration as that which we have just heard from the noble Marquess the late Viceroy of Ireland; but I feel it necessary to rise on this occasion to answer some of the appeals that have been made to me in exceedingly strong language by the noble Marquess and by the noble Earl behind me. The noble Marquess found fault with me for not bounding to my feet at once at the conclusion of the speech of the noble Earl who has brought this matter forward. I will tell the noble Marquess why I did not rise to speak. I did not rise to speak because the noble Marquess was good enough, with the courtesy which belongs to him, to inform me before the Debate began that he intended to make an attack upon me. I, therefore, thought it was only right and necessary that I should wait until after the noble Marquess had spoken. I think he will himself see that I should not otherwise have had an opportunity of answering. I confess, however, that I did not intend to take part in this Debate, having another engagement. I came down to your Lordships' House in order to ascertain whether any personal attack was going to be made upon me, and, hearing that such was to be the case, I remained, at considerable inconvenience, and sent a message to say that I could not fulfil the engagement I had made. This is not the first time that the Front Opposition Bench in this House has been attacked for not raising or meeting discussions on the Irish question. I confess I think it would be very unwise of us in many ways to start discussions on the subject, because my belief is that such discussions would lead to no good result, and, therefore, we have not followed that course. Particularly, on one occasion, we were twitted for not having answered a noble Duke whom I am sorry not to see in his place to-night; but on that occasion it was thought better, as we were able to agree to the Resolution which the noble Duke proposed to your Lordships, that we should not take part in the Debate. On that occasion I came down perfectly ready to speak; but as that was decided, I had no opportunity of doing so. The noble Marquess has attacked me for not having raised discussions and made statements here, which, he says, I have made in other places. With regard to remarks which I have made in other places on the policy of the Government, I may say that, with very rare exceptions, I have studiously avoided attacking the Executive action of the Government. I am not aware that I have ever attacked their action in suppressing meetings, and I am sure I have never alluded to this subject of Tipperary or the Ponsonby Estate. I have studiously avoided doing that, because I have felt a certain delicacy in approaching those subjects which I had myself dealt with when I was in Ireland. If I were sometimes to indulge in discussions of the Executive action of the Government, I freely and at once admit that I should frequently have to differ *ab initio* from the action taken by the Chief Secretary in Ireland. I do not know whether the noble Marquess or anybody else considers they have been attacked by me; it is probably a matter of indifference to them whether I attacked them or not. But my own feeling has been that though I might have a strong opinion upon the subject, it would be better not to make an attack in regard to subjects of this nature. The noble Earl referred to a speech which I made in Wolverton, and criticised it very severely. I adhere absolutely to every word I said on that occasion. I believe the passage quoted is correct—he had the advantage of me in having the speech before him, as I did not know that I was going to be attacked, and could not refer to any reports—and I am not in the slightest degree ashamed of what I then said. I referred to the action of the Land League and the National League, and I said, as the noble Earl quoted, that I often deplored the action of those bodies. I adhere to that view. I have never defended the action of the National League, but I have always thought it right on those occasions to say what was just and fair, and I certainly did think,

and I do think still, that there was occasion and justification for combination of a lawful kind in Ireland with respect to various matters. I believe there have been great grievances with regard to the government of that country. I believe there have been great grievances with regard to the Land Laws of that country. And in passing I may point to this: that no greater proof of the existence of grievances with respect to the Land Laws of Ireland could be found than by turning to the Report of the Land Commissioners, which shows what enormous reductions have been made in the rents by the official Judges in Ireland. That is a grievance which, I think, everyone must admit; and I, for one, consider that the Irish were perfectly justified, in a legal way, in combining, and in trying to secure justice with regard to rents. Certainly, I did not approve—on the contrary, I have always deplored—a great deal of the action of the Land League and the National League. I have deplored the action they have taken, and I have often had deeply to regret the consequences of what they have done; but I do not think we must hold those who took part in a union of this kind directly responsible for crimes that may have arisen from what they have legally done. I am quite aware that those who take part in an agitation, especially when a country is disturbed, ought to be doubly careful how they speak to an excitable people, but agitation and excitement afford no ground for saying that those who take part in a legal agitation should be accused of criminality or of participation in crimes which may arise; because it often happens in Ireland, as in this and other countries, that during periods of excitement the evil-disposed take the opportunity of committing crime, and there is no doubt that often very serious crime results from those conditions. Under those circumstances, I was justified in what I said at Wolverton, and again I say I adhere to what I stated on that occasion; and I think, when anybody who has any pretension to knowing anything of the subject, has the opportunity he should speak candidly and freely, admitting blame where blame should be attached, while admitting any justification for action that has taken place. Now, I will come to what the noble Marquess has said. He asks me whether I adhere to the policy which I was instrumental in carrying out in Ireland, and he referred to the suppression of meetings. He also referred to Sir G. Trevelyan's statement in the House of Commons with regard to that. I cannot at this moment exactly recollect what were the words used. I quite admit that a great many meetings—it may be, though I do not recollect, as many as the noble Marquess stated—perhaps he is right in saying 45—were put down by me under the special provisions of the Crimes Act of 1882. I admit that a great many meetings were suppressed under the special powers which then existed, and which do not exist now, as the noble Marquess knows. But I venture to say that I never stopped a meeting except in a district where violent crimes and outrage existed, or where the state of feeling was such that I was perfectly sure that crime would follow a meeting. I quite admit that at that time, when the country was in a very violent state of crime, when murders and murderous outrages were rife in the country, when they were perpetually being plotted and taking place, I was compelled to stop meetings. I had no hesitation in stopping meetings which I felt sure would, or thought were likely to, give rise to murder and outrage. But when Ireland became more quiet, in 1882 and 1883, I stopped fewer meetings as time went on, and at last I very rarely stopped any; and I am quite sure of this, that I never stopped meetings merely for the discussion of political matters or of general matters which might interest the people in the neighbourhood. I only stopped them when I was certain that violent crime and outrage, and probably murder, would arise from the excited state of feeling of the people. I know this: that I frequently discussed the question whether a meeting should be suppressed or not, and I never remember a single case where, having, after some doubt, allowed a meeting to go forward, I afterwards regretted that I had done so. Except in cases where murder or outrage are likely to follow, I am sure it is much more prudent to allow the fullest discussion of opinion in a locality than to cause the irritation and

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excitement which stopping a meeting causes. I say that at once, because that is the point upon which the noble Marquess challenged me, and that is the point—I have never said this before—where I think the policy of the noble Marquess and of the present Government of Ireland has been so radically and essentially wrong. I venture to say there is a very marked difference between the condition of Ireland now and the condition of Ireland when I had to suppress so many meetings. [*Cheers.*] The noble Marquess and others cheer that statement, and I know what that cheer means. It means that they believe they have been successful in their policy in Ireland. I might argue against that and bring forward proofs that it has not been so successful as they choose to say. The very fact of the necessity for bringing forward this Motion which my noble Friend has made proves that it has not been so successful, and it is plain that the condition of Ireland is not so eminently happy and satisfactory, when you find so powerful a League as the noble Earl has described defying, as it were, Her Majesty's Government in that country. But to return to what I was about to say. There is a vast difference between the condition of things when murders and outrages were rampant, and when no juries would convict, and that which now exists. I say that matters are not satisfactory even now in a great many places. From the cheers of noble Lords opposite one would suppose that the state of Ireland was eminently satisfactory, but the terms of the Motion itself show that is not the case. Speaking for myself, I have a very great dislike to this boycotting and intimidation, and I am afraid that a great amount of that kind of coercion still exists. I do not pretend that I have gone minutely into this subject of the Ponsonby Estate or into the action taken in Tipperary. I have myself a very great regard and warm friendship for Mr. Smith-Barry, and I can hardly conceive it possible that he would do anything unjust in any way. But, at the same time, if I were challenged to it, I should express the opinion that the course he has followed has not been wise or expedient, though it was perfectly within the law. Then we come to Tipperary. I do not myself like violent or extreme methods. The action taken by the National League in Tipperary is, no doubt, violent. I do not like the measures which have been adopted there. But, at the same time, if we except outrages such as the throwing of tin bombs, or whatever they are called, and actual intimidation, I doubt whether it can be shown that the mere action of Mr. Smith-Barry's tenants in Tipperary and the establishment of New Tipperary is actually illegal. Certainly I have not noticed any action on the part of Her Majesty's Government to make me think that that state of things is illegal. The noble Marquess referred to a great many matters, and he certainly went a long way beyond the terms of the question brought forward by the noble Lord. The noble Lord only called attention to the action on the Ponsonby Estate and to the action of the National League; but the noble Marquess certainly took a very wide latitude, and wandered over the whole condition of Ireland, and even alluded to a speech made by Mr. Parnell at Ennis long before I went to Ireland. It is not for me to defend Mr. Parnell or to defend Mr. Gladstone; but when the noble Marquess says that the Irish Members never denounced crime, he is going rather far, for, if my recollection is correct, that is one of the points which the Royal Commission gave in favour of the Irish Members. Well, now, I come to another fact. The noble Marquess quoted some words of Mr. Parnell's in which he accused me of having connived at or practically been guilty of something like murder, by allowing innocent men to be hung. That was a very terrible charge and was language perfectly unjustifiable. I cannot recollect whether my attention was called to it when the accusation was made; but when I heard it alluded to first in the House of Commons, when I was listening to the Debate, I was struck by its extreme unfairness. But what occurred? At the very moment it was made Mr. Parnell got up and withdrew what had been said, and stated that it had been made under a misapprehension. Practically, he made an apology for it. I think it only right to say that, as the noble Marquess has thought fit to allude to it. Then the noble Marquess

alluded to other matters, paragraphs couched in the most violent language. I should have thought that the noble Marquess had got accustomed in Ireland to rhetorical statements and phrases; and many of the phrases which were used were rhetorical and very violent. I should have thought, also, he would have known how largely such statements ought to be discounted, though there are some statements which cannot be discounted, I admit. But some of those paragraphs contained assertions which I should look upon as rhetorical and attach no importance to. The noble Marquess alluded to another matter, which is one of a very painful kind. It is one that I rarely, if ever, allude to, either in private or in public; but it is one on which I confess I have very strong feelings. The noble Marquess states that I was accused, and Sir G. Trevelyan was accused, of something worse than ordinary crime, and I should quite admit that that would be more than a rhetorical phrase like most of those which appeared in the Nationalist papers. My Lords, I have always resented most deeply the words that were used with regard to a painful matter which I had to deal with when I was in Ireland. But it is only fair for me to say, though I have often seen vague references in newspapers, I cannot recollect that I was actually accused, or Sir George Trevelyan, of a certain crime. That I cannot recollect. But what I was actually accused of, and what I resented in the strongest possible manner, was that I connived at the crime and shielded those who were guilty of it. There is some difference between the two things. I dislike extremely alluding to this painful subject, and I very much regret that the noble Marquess thought fit to allude to it here. As he has done so, I have felt bound to say what I have said. My Lords, I have really been rather led into this discussion by the manner in which the noble Marquess has spoken. Instead of confining himself to the subject of the Motion, he has, as I have said, travelled over the whole ground of disaffection and crime in Ireland, and even into the question of Home Rule. I must apologise to your Lordships for having gone at such length into these matters, because it is rather irregular to wander so far from the original Motion. But I wish to refer to one other matter. The noble Marquess attacked me for advocating Home Rule. I accept fully the responsibility which may belong to me for having done so. The noble Marquess says that my opinion upon that subject is worthless. Very likely it is. I do not for a moment pretend, myself, that my opinion on a matter of that sort is paramount, or should be listened to by my countrymen beyond what is right and reasonable. But I will venture to tell your Lordships why I hold my opinion. I do not for a moment say that I advocated Home Rule when I was in Ireland. I did not. I was not then of opinion that Home Rule was possible, and I had not seen my way to it. I endorse now every single word which I said in the quotation which the noble Marquess made from a speech of mine made at Bristol. I disliked and still dislike anarchy, and I say wherever it is in the British Empire it must be put down. I never advocated, and never could advocate, repeal of the Union. I maintain that what we propose would be to strengthen the Union and not to repeal it. Therefore, I do not shrink from one single word that the noble Marquess read from my speech at Bristol. Then, my Lords, with regard to why I adopted Home Rule. It is going into very old and stale arguments, but they are true, and therefore I think I may put them very shortly. I maintain that we have exhausted the present system and principles of Government, as shown by the present administration; that these methods have failed, and that we were bound to find some other methods which would restore Ireland to a condition of tranquillity, and make it a safe instead of a dangerous part of Her Majesty's dominions. It is because I dislike anarchy, because I dislike crime, because I dislike outrage, and because I dislike boycotting, and things of that sort, that I wish to bring a real and permanent remedy for all these evils to Ireland. You will never do it as long as you go on with exceptional laws and coercion; you will only be irritating afresh the Irish people; and I maintain that the only chance is to throw upon the Irish people, as I am sure you can do, under safeguards, with perfect safety, the responsibility for the government of their own country.

Earl Spencer

THE LORD CHANCELLOR OF IRELAND (Lord ASHBOURNE): My Lords, I cannot but think that your Lordships are under much obligation to the noble Earl opposite and to my noble Friend behind me, the late Viceroy of Ireland, for having induced the noble Earl, Lord Spencer, who has just sat down, at last to take part in your Lordships' deliberations. Because over and over again the attention of the noble Earl has been directed to these matters, and to the way in which they struck many Members of your Lordships' House; but in vain have attempts been made to induce him to rise in his place in Parliament, vindicate his action, and express his opinion upon the present state of affairs in Ireland. Therefore, it is, I think, that much gratitude is due to those who have, on the present occasion, practically compelled the noble Earl to rise and give his views on the events which are now going on in that country. It is very difficult for any man, no matter what his ability, or however high his character, to defend startling incidents in his political life. From what the noble Earl has said he must be about the most forgiving and the most forgetful man in the community, for certainly there has never been a man in public life who has had so much to forgive, and who has apparently taken upon himself to forgive so freely. As to his powers of forgetting, they are unrivalled and marvellous, because he pretends that he has been converted to the principles of Home Rule, forgetful of the entire action of his life up to the moment of that conversion, and he asks your Lordships to credit—as, of course, your Lordships will—the extraordinary statement, that the whole time he was in Ireland, a man of strong speech, resolute action, and clear and decided policy, he was wavering in his mind——

*EARL SPENCER: No; I never said I was wavering in my mind. I said that I had not at that time seen any possibility of any proposal for Home Rule.

LORD ASHBOURNE: That will suit me a good deal better. Then it appears that the noble Earl, during two Viceroyalties, spread over many years—this man of strong speech and resolute action, not seeing any other policy possible that was worthy of a statesman, except that which he was pursuing, suddenly, after Mr. Gladstone had announced his change, gives up all the policy he had previously observed, suddenly finds out that the old policy was wrong, and that the new policy was alone feasible and possible, and so lets all his past life go to the winds. I ask your Lordships to believe that he was wrong when he turned his back upon that old policy, and that he was not right in the insidious conversion which he now finds it so difficult to explain. The noble Earl said that he felt a certain delicacy—very appropriate words I daresay—about starting discussions in this House——

*EARL SPENCER: I did not say that. I am sorry to interrupt my noble Friend. What I said was that I had a certain delicacy about directly attacking the action of the Executive Government in Ireland.

LORD ASHBOURNE: Of course, I accept the noble Earl's correction. I accept anything he tells us; but I have myself a tolerably clear memory. Still, to prevent any possible mistake, I jotted down a couple of words from the noble Earl as he proceeded, and I certainly took down the expression that he did not like to "start discussion." I appreciate that. There are many reasons why the noble Earl would not like to start discussion. No one ever asked the noble Earl to start a discussion on these matters, or thought it possible or reasonable that he would care voluntarily to invite criticism of his position and attitude. The point of criticism to which we have directed ourselves, and which we have always insisted on is, that when the noble Earl's attention has been called by others to these subjects, he has been silent to the criticisms of those who addressed him, that he has sat silently listening to the charges made, with all the force and authority of those who addressed them, not explaining his attitude or conduct. He has offered no explanation, and he has left your Lordships under the impression that he preferred to remain misunderstood rather than to rise in his place and to take part in this House in discussions on subjects which he spoke of on many platforms in every part of the country where he chose to get an audience. That is a matter which I think of some importance. On one occasion—the 12th of July, 1888, as nearly as possible two

years ago—the Duke of Argyll obtained your Lordships' assent to a Resolution, and I invite your Lordships to remember that Earl Spencer has explained to-day his attitude of silence on that occasion by saying the reason was that he and his Friends then saw their way to agree to the Resolution of the noble Duke. The Resolution, which was agreed to by the House *nemine contradicente*, was as follows:—

"That in the opinion of this House Her Majesty's Government deserves the support of Parliament in securing to the subjects of the Queen in Ireland the full enjoyment of personal freedom in their lawful transactions, and in protecting them from the coercion of unlawful combinations."

It is very singular that that Resolution, proposed only two years ago, when your Lordships had ample experience of the system pursued by the present Government, was such that the noble Earl could agree to. But that is the explanation which he gives to day for not then rising and taking part in his place in this House in the discussion then proceeding upon the Resolution proposed by the noble Duke. His attention has been pointed to-day, and not unreasonably, to a not unimportant phase of Irish life at the present time. The noble Earl who inaugurated this discussion, the Earl of Camperdown, has cited some important matters at present going on in Ireland, and your Lordships had a right to expect that the noble Earl would express himself in clear language with reference to them, for they are matters which should command the unqualified disapproval of all who consider them. There can be no doubt about that. But I noticed that when the noble Earl came to deal with these questions he picked his words with the most extreme caution, in order that he may not be quoted as an authority who disapproves of what is now going on in the localities referred to by the Earl of Camperdown. The noble Earl said he thought "the measures or the methods were extreme," which is a very limited kind of reprobation. That is not the strong vigorous language he would have used when Viceroy, in describing the same state of facts. I venture to say, also, that is not the language which a man would use who desired to characterise intimidation, as it deserves to be characterised, in the language of resolute denunciation. The

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noble Earl also used this qualification, that though the action was extreme, he was not prepared to say that, excepting in as far as it was connected with outrage and intimidation, he had much to say against it. What does that mean? Why, the whole case made by the Earl of Camperdown was that intimidation was the head and front and centre of the whole thing, that if you take out the intimidation you leave nothing. Therefore, I venture to think it would have been much more worthy of the best traditions of the noble Earl's life, and most consonant with that period of his career when he showed that he knew how to govern and rule, if he had expressed himself with greater clearness and directness on this important matter. But he let slip a sentence which really went a long way towards explaining the state of things brought forward by Lord Camperdown. He said, in one part of his speech, that "There is a powerful League defying Her Majesty's Government." If that had taken place—if that state of things had existed under the Viceroyalty of the noble Earl, if any one could have said there was then a powerful League defying Her Majesty's Government, what would he have thought was the duty of Her Majesty's Government in the matter? The noble Earl has given some explanation of his attitude in reference to the suppression of meetings. I will put this question to him. Did he ever, in either of his Viceroyalties, hesitate to suppress meetings when he was satisfied that such meetings would lead to intimidation in the neighbourhood, and to a disturbance of those who desired to fulfil their vocations peaceably, or that they might lead to outrage? I venture to say that he never did, and that in the case of every single one of the meetings he suppressed he was satisfied they would have led to intimidation, disturbance, and outrage, if permitted to be held. I hear the noble Earl apparently commenting upon what I am saying, but I do not quite follow. I would much prefer if the noble Earl thinks I am not accurately representing him that he would get up and tell me where I am wrong. I will put the proposition again, that in the case of every one of the meetings he suppressed he must have been satisfied, and was satisfied, that if

permitted they would have led to intimidation, disturbance, and outrage. That, I think, is a state of things to be deprecated and prevented, if possible, by every one who desires to see order prevailing in the community. The noble Earl says that he never sought to interfere with meetings, save under exceptional circumstances. There was certainly a meeting in the County Down, I cannot recall the name of the place at the moment, which was interfered with by the noble Earl opposite. I do not at all criticise his action in reference to it, but that was a case where he did interfere to prevent a discussion that was sought to be carried on. As to the attacks upon the noble Earl, he said, in the closing part of his speech, that he regarded them all as rhetorical.

EARL SPENCER: Not all.

LORD ASHBOURNE: Well, excepting the extremely painful one that was referred to by the noble Earl.

EARL SPENCER: I have not said that all the attacks made upon us in the Press were rhetorical.

LORD ASHBOURNE: I do not press the point at all. I am quite aware that any one at all who holds such an important office, and who fulfils such important duties in a country, must be subject to a certain amount of criticism which is disagreeable. The criticism of the noble Earl in Ireland was certainly intensely disagreeable, and could hardly be covered by the mild expression "rhetorical." It accused him of almost every crime that was possible or conceivable in administration, or that could be committed by one placed in his high position. The attitude which the noble Earl now chooses to assume in relation to those who made the criticisms is a matter entirely for himself, and I will pass that by, but I think it would have been more satisfactory if the noble Earl, when his attention was invited to certain matters now going on in Ireland, and when he was asked to express an opinion with reference to them, would have expressed an opinion with clearness, force, and a freedom from ambiguity, which would have prevented the possibility of his words being used as the words of one who had not a clear view antagonistic to those who were practising methods of intimidation, which ought to be reprobated as leading to results both deplorable and disastrous.

*THE EARL OF KIMBERLEY: My Lords, I must say I think this Debate has been one of the most extraordinary I have ever heard in this House. One would have supposed my noble Friend Earl Spencer was on his trial before your Lordships for what he did many years ago, but the only ground that I can find on which he has been so violently attacked is that he has not expressed an opinion on certain matters at a certain time. I have yet to learn that any noble Lord in this House is to be called upon to take part in any Debate, or that, if he thinks fit not to do so, he is liable to attack upon that ground. But I must congratulate the noble Earl on what has taken place, because evidently the most extraordinary importance is attached to his opinion, and it would seem that unless Her Majesty's Government can obtain an expression of that opinion their position is one that is not altogether confortable or satisfactory. That seems to me to be the general result of the discussion. The noble Marquess opposite told us that he did not speak as an ex-Lord Lieutenant of Ireland, but in his character of an individual Peer, and evidently as an Orangeman from the north, and I was very glad to hear it, because I certainly cannot congratulate him, as an ex-Lord Lieutenant, either upon the tone, temper, or matter of the speech he has delivered. I cannot conceive anything more unfortunate than that a noble Lord who was recently Viceroy of Ireland should make an inflammatory speech against a large portion of the Irish people. The full explanation was given by the noble Marquess himself that he did not speak as late Lord Lieutenant, but that he spoke as an Ulsterman. Much as I admire the sterling qualities of the population of the north of Ireland, there is one thing I do not admire in them, and that is their Orange faction, which, I believe, has done as much harm as any other faction has ever done to that country. The language the noble Marquess used was exactly the kind of language I should expect to hear from an excited Orange landlord of the north of Ireland. Now, there has been a good deal said about Mr. Gladstone, but I think we may consider that Mr. Gladstone is

perfectly well able to take care of himself, and it is not necessary now to refer to what has been said about him to-night. In the first place, as to the Motion of the Duke of Argyll, two years ago, which was alluded to by the noble and learned Lord who has just sat down, and who commented upon the fact that noble Lords on this Front Bench had not spoken, my noble Friend has already explained that that was because there was nothing in the Resolution in which we could not acquiesce. I entirely share with my noble Friend Earl Spencer whatever may have been the responsibility of our acquiescence in that Motion, expressing, as it did, a simple truism, which no one can question, as to the duty of Her Majesty's Government at all times. I acquiesced in it then, and I should acquiesce in it now. What was expressed there is, I hope, the duty of every loyal subject of the Queen, that is to support Her Majesty's Government in all measures necessary to be taken for the purposes indicated in that Motion. But what is sought to be inferred from the Motion is a totally different thing, that is, that we approved of the particular policy of Her Majesty's present Government. That, no doubt, was what was intended by the noble Duke, but we looked to the words of the Motion, and we considered that in assenting to the Resolution we were simply assenting to what it was impossible for anybody to deny. Now, the conclusion I draw from this discussion, and especially from the speech of my noble Friend who opened the Debate, is, that there is a powerful League in Ireland formed for the purpose of defying Her Majesty's Government. If that is the case, I think the success of the policy of Her Majesty's present Government in Ireland must be exceedingly doubtful. I have, of course, no means of judging what takes place in that country, except by what I read in the newspapers; but I have no doubt, from what I have now heard from my noble Friend, who is a supporter of the Government, that there is a state of things in one part of that country, at all events, which is in a very high degree unsatisfactory. If that be the result of the policy of Her Majesty's Government, it seems to me it justifies the position we have taken. Our position is very simple. We have ceased to believe in a policy of coercion, and we assert that it will fail in the effect desired from it, however ably it may be carried out; and we certainly do not acquiesce in the mode in which the coercive policy of the Government has been carried into effect. As the discussion has been extended over the general subject by the noble Lords who have spoken, I may for a moment venture to say that I cannot conceive a system more detestable—I believe it has been called "damnable" in another place—than that of the "shadowing" pursued by the present Government in Ireland. I deny entirely that, as has been said, it corresponds with the ordinary watching of a suspected criminal by a detective. I deny that it is the same thing, and I say that if the system of shadowing or sending constables to spy upon and overhear what is said by a man who may be suspected of boycotting or something of that kind were pursued in this country no Government depending on a system so unjustifiable could exist for a week. If I were to go further on the present occasion I should say that the whole demeanour of Her Majesty's Government, as represented by the Chief Secretary, towards a large portion of the Irish people, is in the highest degree impolitic. Nothing could be more contrary to the interests of this country than constantly to insult a large portion of our fellow-countrymen—the people of Ireland. Not very long ago I had occasion myself to take part in the carrying out of coercive measures, though in a state of things very different from the present; but at all events, while carrying out strong and severe measures, because I considered it my duty to do so, I cannot reproach myself with ever having addressed one offensive word even against those whom I believed to be guilty of conspiracy against the Crown. And I did not do so because I do not believe it is in the interests of this country to provoke the Irish people against us, and I did not consider it my duty to aggravate the hostility which, unfortunately, has so long prevailed among the Irish people towards the Government of this country. Reference has been made to my noble Friend's policy in regard to the suppression of public meetings. What I understood the noble Earl beside me to say was that he did not interfere with meetings unless he thought it was

likely they would lead to murder or murderous outrage. The noble Lord (Ashbourne) added intimidation, but the noble Earl did not say he interfered with them simply to prevent intimidation, but when they would be likely to lead to murder.

EARL SPENCER: Or murderous outrages.

*THE EARL OF KIMBERLEY: At all events he did not say intimidation also. That was the correction I desired to make. Then to return for a moment to the immediate subject of this discussion from which we have wandered so much, the immediate occurrences and present state of circumstances at Tipperary. I am free to confess that my sources of information are not such as to enable me to form a very definite opinion as to what is taking place there. I suppose it is one of the episodes, and a very unfortunate one, no doubt, in the long war which has gone on between landlords and tenants in Ireland. In the event of a controversy arising between a landlord and his tenants I should think for a neighbouring landlord to interfere as Mr. Smith-Barry seems to have done with what did not concern him is very unwise and is likely to lead to disagreeable consequences. Then as regards what my noble Friend said in his speech at Wolverton. I, of course, do not defend violent intimidation or outrage upon inoffensive persons, and what Earl Spencer said in his speech at Wolverton was simply that we must make allowance for causes which lead to agitation, and for occurrences which may be the consequences of an agitation otherwise not criminal in itself. Here I would make this observation, that that remark is applicable fully to Trades Unionism in this country. We do not, any of us, in this country now think that Trades Unions are to be condemned as bad in themselves; but I am quite certain that nobody who has followed their action can have failed to see that there have been many things done which we must blame. On the occasions of strikes taking place many things are done which we must strongly and entirely condemn. But it is not that we condemn the whole system of Trades Unionism and strikes, but only those particular occurrences. I do not compare Trades Unionism as we have it in this country with such combinations as we see in Ireland; neither do I compare such action as sometimes follows Trades Unionism with the outrages which arise out of the action of the National League in Ireland. What I say is that in both cases you must bear in mind that there may be agitations which may be perfectly lawful in themselves which yet lead to occurrences which all must condemn and deplore. My Lords, I will return to what I begun by saying. The whole moral of this discussion seems to me to be that there is a state of things in parts of Ireland which is most unsatisfactory, and Her Majesty's Government must feel that their policy in that country is far from having been successful. My noble Friend behind me was taunted with his change of opinion; he admits that change of opinion; and I admit a change in my opinion. The noble Lord says the change in the case of my noble Friend has been sudden and extraordinary. Well, I suppose all such changes are sudden and extraordinary in the view of those who condemn them, but that does not prove that the change of opinion may not have been wise. There are occasions when it is very unwise to persevere in a course of action which is proved to have failed, and when much more courage and wisdom are shown in changing to another set of opinions. Then we heard from the noble Marquess the old stale assertions about our acting in concert with Mr. Parnell. I am really quite ashamed to give the very obvious answer that when it was convenient to the noble Lords a few years ago to act with Mr. Parnell for the purpose of turning us out of office they did not stop to ask themselves whether Mr. Parnell and his friends were persons with whom they would like to associate themselves in political life, and I think for that matter the whole of that subject might very well be dismissed. The question now is not what may have been Mr. Parnell's opinions in time past, not what may have been Mr. Parnell's relations with this or that Party in time past, not those matters which formed the subject of inquiry before the Parnell Commission, but whether or not the policy which is advocated by the Opposition or the policy which Her Majesty's Government have pursued is the wise one. I heard a noble Lord make reference to

"the fragment of the Liberal Party." I think that "fragment" is a very large and solid one; and I venture to tell the noble Marquess opposite that it is not likely to be very long before that fragment will have grown so large as to carry some measure of Home Rule into effect.

THE LORD PRIVY SEAL (Earl CADOGAN): I can assure your Lordships that I had no intention of taking part in this discussion, and I shall not do so at any length. In my opinion the Debate will add something to the delicacy of which we have heard so much, which noble Lords opposite entertain in either originating or taking part in discussions which are originated in this House. I rise chiefly for the purpose of alluding to one remark which fell from the noble Earl who has just sat down, who found fault with the noble Marquess behind me because he said that the noble Earl, Lord Spencer, did not use his authority sufficiently either in this House or in the country to denounce the outrages and malpractices to which Lord Camperdown has referred. The noble Earl opposite (Lord Kimberley) went on to say that noble Lords who sit opposite ought to be very much flattered at finding that the authority of Lord Spencer is so high in this House that so much value should be attached to his opinion. It is natural, however, that value should be attached to the opinion of anyone who has occupied the position of Lord Lieutenant of Ireland for so long, as Lord Spencer has done, I believe eight years, and that he should expect to find that his utterances in public should be treated with extreme attention on this side of the House. But what we complain of is that the noble Earl is not reticent when he goes about the country making speeches in small towns before picked audiences of a particular political complexion, and makes statements before those Radical audiences, but when he comes down to this House and hears his sentences quoted against him, and his opinions canvassed, he has hitherto foreborne to rise in his place and offer any explanation or denial of the sentiments he is accused of having uttered. I am happy to say that to-night he has, by the energy of my noble Friend, if I may be excused for using a somewhat vulgar term, been "drawn" at last. I will, however, venture to say that the answers which he has given to the accusations of my noble Friend behind me are not such as will carry conviction to the minds of his doubting countrymen. The real object of the discussion which has arisen to-night has been not only to explain to us the circumstances of the Tipperary case, because that was done sufficiently by the noble Lord opposite, who opened this Debate, but to demand, as I think we have a right to do, that the noble Lords opposite, and those with whom they are accustomed to act in political life, should do something which shall discourage the operations of the members of the National League, among whom they number so many intimate friends and colleagues, politically speaking, in order to mitigate those horrors which are perpetrated by the National League in Ireland. In the long history of misdeeds and acts for which it is difficult to find an adequate epithet, I know none more worthy the consideration of the country than the story which has been so clearly unfolded by my noble Friend. We have here the case of a landlord who is, it is admitted even by his opponents, of the most benevolent and liberal character, and who had lived ever since he became possessed of his property on the most friendly terms with his tenants, who had spent large sums of money on improvements for the advantage of his tenants, and who, generally speaking, it has been admitted alike by his advocates and by his political opponents, was a model of what a landlord should be in any part of Her Majesty's Dominions. This is the man who has been fastened upon by the National League, simply because he chose to adopt a course which certainly will not, I think, meet with disfavour from my noble Friend opposite or of any of his friends, that is to say, to join the Landlords' League, to go to the assistance of a landlord in his immediate neighbourhood who he thought required such countenance at his hands. What followed, the noble Earl has described. I need not say I am not going to repeat all the sickening details of the outrages which followed, and of the state of things which supervened. It is sufficient to say here is a once flourishing town which has had its trade destroyed, its buildings

emptied, its markets ruined, and its inhabitants driven out of its borders. All this disorder has been caused by action of the National League, of a character which has been described to-night, but which we cannot induce noble Lords opposite openly and honestly to denounce. I venture to think that a great deal of what has happened in Tipperary could by the perpetrators be directly justified by the speeches of the noble Lord opposite and his friends. I consider that we owe a debt of gratitude to the noble Lord opposite and also to the noble Marquess behind me for originating this discussion, and for giving us an opportunity of stating publicly, which I venture to do not only as a Member of the Government but as a Member of your Lordships' House, the abhorrence with which we view the action of the National League and the disappointment we feel at the want of success of the repeated attempts we have made to induce noble Lords opposite to dissociate themselves from those with whom they are allied, and who pursue that action for political purposes. At all events, I am glad we have had an opportunity of making clear to the public to-night that we, on our part, are determined to uphold law and order, and to do our best to prevent the recurrence, if possible, of those acts which have been animadverted upon, and that in the future, as in the past, we shall continue, in spite of the speeches of the noble Lords opposite, to endeavour to the utmost of our power to destroy the baneful influence of the National League.

*EARL FORTESCUE: My Lords, I do not wish to detain your Lordships for many moments, but I desire to protest against the assumption of my noble Friend Lord Spencer, that the rents determined by the Land Commissioners, and above all by the Sub-Commissioners, are to be taken as fair. The appointment of the Sub-Commissioners, and I say now what I have repeatedly stated both in public and in private, considering their antecedents and the language they had used about landlords and rents in Ireland, and I speak as an Irish landowner—the nomination of those men by the Irish Government of the day was enough to intimidate all landowners, and to lead to their apprehending what was in the result only too well verified, most unfair decisions on a very large scale by the Sub-Commissioners. The Land Commissioners' names were submitted to this House and to the other House of Parliament, but the Sub-Commissioners were appointed solely on the authority of the then Irish Government, and the great majority of the apportionments of rents which were so triumphantly alluded to by my noble Friend Lord Spencer were practically made by the Sub-Commissioners, in whom, for the reason I have given as to the majority of them, or certainly a large number of them, no Irish landowner could feel the slightest confidence. While I am addressing your Lordships I think I may venture to say that the rebuke administered by the noble Earl to the noble Marquess for using inflammatory language was rather misplaced. The most inflammatory and severe language that he could use fell far short of the quotations that he gave from the language of the noble Earl's own colleagues. The "Gospel of Plunder," and "drifting through rapine to the dismemberment of the Empire," are words, I think, stronger than any that the noble Marquess in his admirable speech uttered on his own behalf. I rejoice that at last we have had some members of the Home Rule Party open their lips in this House, and I quite agree with the noble Lord Privy Seal that the reply of my noble Friend Lord Spencer to the attack of the noble Marquess was singularly inconclusive and unsatisfactory.

BARRACKS BILL.—(No. 163.)

SECOND READING.

Order of the Day for the Second Reading, read.

*EARL BROWNLOW: My Lords, this Bill, to which I have to ask your Lordships to give a Second Reading to-night, is essentially a Financial Bill, and I would remind your Lordships that it has passed through the other House not only without Division but with extraordinarily little Debate. I beg to introduce this measure to the notice of the House—first, on the score of military efficiency; secondly, on the score of the health and comfort of the troops, and of those who are dependent on them—their wives and families; and, thirdly, on the score of economy.

Up to the present time there has not been put forward any great scheme of concentration or of accommodation for our troops. In times past it appears that barracks have been built from time to time in various parts of the country probably to meet the exigencies of the moment, and the result of this system, or what perhaps I may better call want of system, is that many of these barracks are placed in the centre of towns where there are no facilities for drill or for musketry practice; some of them are unhealthy or unsanitary and dilapidated, whilst others of them are too small to hold a regiment. For the first time a thorough scheme has been prepared by the Quartermaster General for the concentration and for the accommodation of the troops. When I use the word "concentration" I do not only mean the concentration of large bodies of men as in our large camps, but also the concentration of single regiments, and also of several batteries of Artillery. Therefore, when I say concentration of troops, I mean their concentration in barracks sufficiently large to hold one regiment. The Secretary of State has been advised that it is very desirable that the Royal Artillery should be concentrated in groups of not less than two or three batteries. Something has been done in the way of that concentration, and it is hoped that there will be besides Aldershot, provision for concentrations at Newcastle, Colchester, Sheffield, Hilsea, and the Curragh. With regard to Cavalry concentration, that will chiefly consist of the small concentrations that I spoke of before in barracks large enough to contain a whole regiment, where at present a regiment is scattered and divided. The chief concentration of Infantry should, it has been decided, be as it is now at Aldershot. The advantages of many places which have been mentioned have been discussed. Salisbury Plain has been mentioned and Cannock Chase, but on the whole it has been decided that Aldershot has the greatest advantages. In the first place, there is a large space of land there already in the possession of the Government, there is a good soil, and there are various appliances on the ground, and it is also within easy reach of the Metropolis. It has, therefore, been decided to add to the number of troops already encamped at Aldershot one battery of Artillery and six battalions of Infantry. But to carry this into effect it will be absolutely necessary to re-construct the whole of the Camp at Aldershot. The state of the huts is notorious. The wooden huts there were run up shortly after the Crimean War, and many of them are now 35 years old; the roofs are flattening down; the walls are bulging; many of them have been propped up for some time; and keeping them in even their existing moderate state of repair costs the country as much as £7,000 a year. It will be necessary to remove those huts, and in their place to build huts or barracks of permanent materials. Two lines in the North Camp have been already reconstructed, and it remains to re-construct the remainder of the North Camp, enlarging also the hospital and building some married quarters. The South Camp will also have to be re-constructed; the permanent barracks will also have to be added to, and further hospital accommodation will have to be supplied also in the South Camp. Besides this, arrangements have been made with the Home Secretary to take over the male prison at Woking, which, with a very inconsiderable outlay, can be made available as a thoroughly good barrack for one Infantry battalion within easy access of Aldershot. What I have said with regard to the huts at Aldershot applies to the huts at the Curragh; some of them are good, some of them very bad; and a great deal of re-construction is necessary there also. At Colchester, too, a good deal will have to be done, and at Shorncliffe the same. At Belfast it will be necessary to build a new barrack for one Infantry battalion, and to make improvements in the present barracks. It will be necessary there also to build married quarters. There the married men are now entirely lodged out, there are no married quarters at all, and the expense of lodging them out is large, besides which it is bad, as one can easily imagine, for the discipline of the men. In London the only barracks that I need mention as requiring looking to are the Regent's Park Barracks. They are in a perfectly sanitary state as regards the men, but they are very bad barracks as regards the horses. They will require a small outlay to put them into thorough order, and besides

Earl Brownlow

that, married quarters will have to be built. The site has not yet been determined upon, but Millbank has been suggested. At Manchester we have barracks in the middle of the town, built up to the very walls, and partly commanded by the windows of the houses in the immediate vicinity. We propose to pull down those barracks and to build another set on some other site which may be convenient for Manchester. That site has not yet been decided upon. At Portsmouth, too, it is well-known that the barracks were unfit. They have been condemned for years, and there have been repeatedly Reports made upon them as being utterly unfit for the accommodation of troops. They are, in fact, now pulled down, and the state of things which has been disclosed has amply justified the Reports that were continually being sent in about them. Then abroad, in the Colonies, the barracks both in Bermuda and Gibraltar are reported as being in a bad state, and some money will have to be spent upon them to prevent the recurrence of enteric fever. At Cape Town, also, the barracks are reported to be in a bad state. For Malta there is a very large scheme proposed which I need not enter into now; but the garrison has been considerably increased there of late years, the troops are greatly crowded, and it will be absolutely necessary to considerably increase the barrack accommodation. My Lords, I have not attempted to go into details; I have merely gone generally through the list. There are, of course, other matters in the Bill, but it would only weary the House for me to speak of them. At the same time, I trust I have said enough to persuade the House that it is high time this very large and important question was taken up and thoroughly gone into. However, there are one or two small questions of detail which I should like to enter into before I sit down. It is only fair and just to Her Majesty's Government that the country at large should be thoroughly satisfied that this large sum of money which is proposed to be spent will be properly and rightly expended, so that the country will have its money's worth. The Secretary of State has called in to advise him several gentlemen who are complete outsiders, and in no way connected with the War Office; Mr. Creed, the surveyor to the Land Commissioners; Mr. Pilkington, a well-known architect, who has had enormous experience in the erection of industrial and workmen's dwellings, also Mr. Roger Field, who is well-known as a distinguished sanitary engineer. All those gentlemen have given him excellent advice. But the Secretary of State depends even more upon the resuscitation of the Army Sanitary Committee. That was a body which was first brought into existence by one who has left behind him a greater name than any other Secretary of State for War, I mean Lord Herbert of Lea. But that Committee has lain of late years entirely dormant, and the Secretary of State has determined to resuscitate it. The President of the Committee will be the Quartermaster General; and I think the name of Sir Redvers Buller is in itself a guarantee of energy and thoroughness. He will be assisted in his work by the Deputy Inspector of Barracks, Colonel Locock; in the Army Medical Department by the Surgeon General and an experienced Army surgeon, and there will also be another member appointed by the India Office. The instructions of this Committee are very wide indeed. The Committee has to report upon all sites and upon all plans of buildings; it is also to visit the buildings while they are being erected; it has to consider the Sanitary Reports from all Home and Colonial Stations; it has to receive all the Sanitary Reports from India; and, in fact, the instructions given to them generally are of the widest possible nature. I may tell your Lordships that the gentlemen forming this Committee have accepted this responsibility with great cheerfulness and with perfect confidence, and it is hoped that their co-operation may be of the greatest possible value. One word I should like to add, and that is upon the subject of Soldiers' Institutes. It is proposed in building new barracks and re-organising old barracks to form where it is possible institutes instead of the ordinary canteens. In doing this we propose to follow the system which has been adopted with very great success by the Commander-in-Chief in India, Sir Frederick Roberts. His system has been to separate the liquor-bar, which answers to our canteen, from the coffee-shop, or refreshment, or supper-

room, which would answer to what we should call in England the grocery shop and coffee room, and to separate that again entirely from the recreation department. We propose in those respects to follow the lines which have been so successfully followed by Sir Frederick Roberts. But we have one little difficulty which I will mention. In India, Sir Frederick Roberts has gone upon the system of handing over the temperance room entirely to the Army Temperance Society. But in England there are a great many Temperance Societies, and it is impossible for the War Office to hand over these rooms to any Society which is not entirely undenominational and unsectarian; but we trust that the various Temperance Societies in England will combine to form one Army Temperance Society, as there is in India, to which we may be able to hand over these Institutions. As regards the married quarters, I am quite sure that your Lordships who have cottages of your own for the condition of which you care will be the first to admit that of late years there have been enormous strides made in the housing of the working classes; and I am quite sure you will agree with me that the wives of our soldiers should have at least those comforts which they would have had if they had married civilians in that class of life from which our Army is recruited. It is, I know, said that England is on a level with other nations in the matter of housing her troops. That may be so, or it may not; but from an excellent Report which we have lately received through the courtesy of the German Government I should venture to doubt it—at least as far as that particular nation is concerned. Even if other nations choose to house their troops badly, that is no reason why we should follow their example. Other nations have their Armies supplied by the conscription; we, on the other hand, depend for our Army upon the system of voluntary enlistment; and I am sure your Lordships will agree that the men who enlist into Her Majesty's Army and agree to serve the State should receive every consideration from the Government. My Lords, I ask you to give a Second Reading to this Bill, on the threefold ground of military efficiency, the health and comfort of the troops, and economy.

Earl Brownlow

Moved, "That the Bill be now read 2ª."—(*The Earl Brownlow.*)

LORD SANDHURST: The noble Earl has said that this is in its character a Financial Bill, and that is, no doubt, the fact; but the consequences of the Bill will be of enormous interest not only to our soldiers themselves, but to all those who take an interest in Army matters. I can assure the noble Earl I do not rise in any way for the purpose of impeding the passage of this Bill, because I think he and his friends have grappled with a very difficult subject in a very bold and comprehensive manner, and I therefore most cordially welcome the Bill. I may mention that I have had some experience of the huts to which my noble Friend has referred, for I was quartered once at Shorncliffe in the winter time, and that experience is that as far as my particular hut went every device had, it always seemed to me, been made use of which could ensure as great an access of wind through it as possible, and nothing of any kind was ever done to exclude it. Now, if that was the case in an officer's hut, I am quite sure it was the same, if not worse, in the men's huts. Though I cannot say it did us any bodily harm, it gave rise to inconvenience and discomfort, and I think if that was the case with the officers it must have been ten times more so in regard to the men. In Dublin there are two barracks in particular, the Royal and the Richmond, parts of which are in a very unhealthy state; but besides those barracks there are one or two others, and the one which most predominates in my mind is the Linen Hall Barracks. I was there in 1886, and I was told they were very healthy; but, at the same time, they were in such a state that it was a positive slur and disgrace to the Department that they should have housed soldiers in them. I hope that we shall now be able to do without those barracks, or at any rate, if it is necessary to have soldiers in that part of the town, that the buildings will be re-constructed. There is, perhaps, one point in this scheme put forward by my noble Friend upon which it is possible a difference of opinion might arise, and that is in regard to the massing of a very large number of troops at Aldershot out of the drill season. No one can exaggerate

the importance of Aldershot as a place for exercising troops in the drill season. They have the great advantage there of obtaining some experience of camp life, and being exercised in the duties of camp life, both men and officers; and it also gives the senior grades of officers opportunities of commanding large bodies of men. But there is this point which suggests itself to my mind: whether, in massing a large number of troops at Aldershot, there may not be a redistribution made of such a nature as will cause the Regulars to lose touch in some degree with the Auxiliary Forces and thereby lessen the interest which is taken in the Army by the public, and thereby endanger the success of recruiting. With regard to the quarters for the married soldiers, I am extremely glad that has not been lost sight of. The life of a soldier who has to live out of barracks with his wife is one of great poverty; they have very likely to live amongst unpleasant surroundings, and in extremely unhealthy houses. It has always been one of the greatest surprises to me during my experience of soldiering how the men could have managed to turn out as smartly as they did. One point is that the number of married soldiers has decreased considerably ever since the introduction of the short service system, and it may be worth the while of the noble Earl and his friends to take into consideration whether the sum that is set apart for providing married quarters may not be excessive. Upon the point as to the massing of Artillery I do not offer any opinion, and I have only ventured to make these remarks upon the two points I have mentioned rather to guard myself, because I have no doubt the noble Earl is acting in complete harmony with the military advisers of the War Office, against whose opinion I should be sorry for a moment to put my own. I am extremely glad to hear of the resolution which has been come to on the part of the authorities as to the Soldiers' Institutes, for I think that establishing those Institutes will tend to encourage sobriety among the younger soldiers. The re-appointment of the Sanitary Committee, too, is a matter upon which I have to congratulate the noble Earl, and also his announcement that the opinion of outside architects is to be taken. I should like also to impress upon him that when the contracts are made for the erection of the buildings the Director of Contracts should be enabled to see that the very best skill and materials are employed in carrying out the very great undertaking which the Government will then have in hand. With those few remarks I cordially support the Second Reading of the Bill.

*EARL FORTESCUE: Having more than 30 years ago had the honour of carrying through the House of Commons Resolutions affirming the expediency on grounds of true economy, and with a view to the greater efficiency of the Army, not less than of justice and humanity, of improving the sanitary state of our soldiers' barracks, and making better provision for the decent accommodation of our troops, I rejoice to hear from my noble Friend the admirable scheme, as it seems to me to be, which the Government are intending to carry out for the purpose of improving the barracks still further, and on a comprehensive scale. A great deal was done in this matter many years ago under the auspices of the lamented Mr. Sydney Herbert, but a great deal remained to be done. I particularly rejoice that more attention is to be paid to the accommodation of the married soldiers. I remember, among the great number of barracks that I visited, being shocked at finding the soldiers' wives divided in their quarters from a long dormitory full of young men, in many instances by nothing more substantial than a flimsy curtain. Nothing could be more miserably crowded and unsuitable than the accommodation for married soldiers which I remember seeing not in one but in many barracks which I inspected years ago. I rejoice heartily that the huts are to be superseded. I remember describing them to my constituents at Marylebone as combining the opposite disadvantages of permanent barracks and a flying camp, having the makeshift and uncomfortable character of the one, with the immobility and to a considerable extent—I may now say indeed to at least the full extent—the expensiveness incident to permanent barracks. I feel sure, not only as regards the comfort of the soldiers, but as regards real economy, the Government are well-

advised in very largely substituting for the huts permanent and well-planned barracks. Years ago, also, when I was at Malta and Gibraltar, I took occasion to visit all the barracks in those garrisons of ours, and I was satisfied there was plenty of room for very great improvement in them. I heartily congratulate my noble Friend on the gratifying statement he is charged to make, and on the clearness with which he has made that statement to the House.

*THE EARL OF DUNDONALD: I only want to offer a very few remarks upon the Bill which the noble Lord has so clearly explained. I think Her Majesty's Government are to be congratulated upon dealing with the barrack question in the thorough manner they are doing. An immense amount of ill-health is caused in our Army by men being quartered in barracks built long before the present era of sanitary reform. With regard to the strategical advantages of massing men in such camps as Aldershot, I do not propose to offer to your Lordships any remarks beyond saying that they must be evident to all who consider how advantageous it is to concentrate your men in central positions, whence they can easily be despatched by railway to any point at which their services may be required. With regard to the statement made by the noble Lord that Lord Herbert of Lea's Sanitary Commission will be re-appointed, I am glad that has been determined on, and I hope their hands will not be tied by any particular and possibly inadequate amount of money being allocated for any particular barracks. I wish that Sanitary Commission had been appointed earlier, because some of the barracks which have been recently erected certainly present defects. I would refer to the Knightsbridge Barracks. There the floors of the barrack-rooms are made of the ordinary deal planking. Being constructed in that way in the ordinary manner, dirt, little pieces of breadcrumbs, and scraps from the men's dinners fall through the interstices, and remain between the boards. The only way of cleaning barrack-rooms beyond brushing them out is to use water for the purpose of scrubbing them out, not as housemaids clean boards with a piece of flannel and a pail, but very often by throwing the water along them. This ought to be very carefully done, but they throw down half a pail of water and swab the room out, and the consequence is that the water percolates through and collects under the boards in places. Very often in the old barracks it brings down the ceilings of the rooms below, and then orders are sent that the rooms are not to be swabbed out any more. That has taken place at the Regent's Park Barracks, and I hope the Sanitary Commission which is to be appointed will insist on the floors of future barracks being made of parquet lined with asphaltum, or some impervious material, so that the rooms can be properly washed out with water without the water percolating down into the rooms below through the boards and ceilings, or remaining between the interstices of the boards. The matter of the married quarters is a most important one, more particularly as affecting the London garrison, for in London married men have to pay much larger rents for their rooms than the men pay in country districts. Soldiers are given permission to marry after a certain number of years' service, upon having obtained certain good conduct badges, and having a certain sum of money in the Savings' Bank. When they are so qualified they are allowed to marry. But there is not sufficient accommodation in the barracks for the families of those soldiers who are allowed to marry under those conditions. Therefore, they are granted by Government a "lodging allowance." The allowance granted to a well-conducted soldier in a London garrison amounts to 4d. a day. That 4d. a day, I may inform your Lordships, is utterly inadequate to supply a trooper or a man receiving 1s. 9d. a day with a proper lodging for his family; and I do not think it is possible for a man to provide himself with decent accommodation under 6s. or 7s. a week at the least. Therefore, I say if the Government enlist men for long service, and allow those men after they have qualified themselves by good conduct to marry, they should, having placed them on the marriage roll, give them a sufficient allowance to house their families without drawing on their scanty pay. I do not know whether this Bill includes provisions for new ranges for the troops, but I think that matter is of almost more

importance than providing for re-construction of the barracks themselves, because with the new rifle it is absolutely necessary that new ranges should be provided throughout many districts in England, as the new weapon carries about twice as far as the old rifle which has been hitherto in use.

*EARL BROWNLOW: One or two questions have been put by the noble Lord opposite, Lord Sandhurst, which I will answer as shortly as possible. He has spoken of the condition of the Royal Barracks at Dublin, and your Lordships can easily imagine that the Royal Barracks there will require entire overhauling and re-construction, and particularly new draining. It is also proposed to build new barracks near the Phœnix Park at Gormans town, and I hope they will be completed towards the end of next year. One word as regards the married soldiers. My noble Friend has pointed out that now we have short service there is a much smaller number of married soldiers than formerly, and that is certainly the case. The whole question was gone into two years ago, and provision has been made in that respect. But the diminution in the number of married soldiers is not quite so great as one might suppose. I have ascertained some particulars as to what the numbers of married soldiers are, which, with your Lordships' permission, I will quote. In an ordinary battalion I find there are 2 Warrant Officers, 25 sergeants and Staff sergeants, and 22 rank and file. Of course, the Warrant Officers, and the sergeants, and Staff sergeants, are not short service men. Therefore, I think the difference is not so great as might at first sight be imagined. Then the noble Lord said he hoped the Committee would have a free hand. I can assure him that the Committee will have a very free hand, and I have no doubt they will not hesitate for a moment to place before the Secretary of State any matter which they think ought to be brought before him with regard to the materials or construction of the barracks.

On Question, agreed to.

Bill read 2ª accordingly; and committed to a Committee of the whole House on Tuesday next.

COMPANIES (MEMORANDUM OF ASSOCIATION BILL).—(No. 110.)

Amendments reported (according to Order); further Amendments made; Bill to be read 3ª on Tuesday next; and to be printed as amended. (No. 199.)

PUBLIC HEALTH (SCOTLAND) ACT, 1867, AMENDMENT BILL.—(No. 169.)

House in Committee (according to order); Bill reported without Amendment; and to be read 3ª on Tuesday next.

ELECTIONS (SCOTLAND) (CORRUPT AND ILLEGAL PRACTICES) BILL.—(No. 158.)

SECOND READING.

Order of the Day for the Second Reading, read.

THE SECRETARY OF STATE FOR SCOTLAND (The Marquess of LOTHIAN): I do not propose to detain your Lordships at any length upon this Bill. It is a Bill containing a considerable number of clauses—52 I think—but they deal entirely with matters of detail. I will just state that the object of this Bill is to extend to Municipal, School Board, and County Council elections for Scotland the provisions in force with regard to Parliamentary elections, and also to bring the law of Scotland into harmony with the law of England in that respect. I think your Lordships will agree that it is very desirable that object should be carried out, and this Bill proposes simply to do what I have stated.

Bill read 2ª (according to order), and committed to the Standing Committee for Bills relating to Law, &c.

POOR LAW (IRELAND) RATING BILL. (No. 183.)

SECOND READING.

Order of the Day for the Second Reading, read.

LORD MACNAGHTEN: My Lords, the object of this Bill, which has passed the House of Commons, is to prevent the recurrence of some difficulties which arise in the collection of the Poor Rate in Ireland. The rate is made several times a year, and the person to pay it is the person in occupation at that time,

and that person remains liable, although he may have ceased to have anything to do with the premises. That is productive sometimes of great hardship, and this Bill proposes to give Boards of Guardians power to determine in their discretion whether a person in those circumstances is or is not liable, and in that case the person who has subsequently become tenant is liable. That is the whole of the Bill, with the exception of a provision extending to Dublin.

Bill read 2ª (according to order), and committed to the Standing Committee for Bills relating to Law, &c.

ANGLO-GERMAN AGREEMENT BILL.
(No. 180.)

House in Committee (according to order); Bill reported without amendment; and to be read 3ª on Tuesday next.

CUSTODY OF CHILDREN BILL.
(No. 98.)

House in Committee (on Re-commitment) (according to order; Further amendments made: The Report thereof to be received on Tuesday next; and Bill to be printed as amended. (No. 200.)

EDUCATION CODE (1890) BILL.
(No. 157.)

Read 3ª (according to order), and passed.

INLAND REVENUE REGULATION BILL.
(No. 166.)

House in Committee (according to order); Bill reported without amendment; and to be read 3ª on Monday next.

WOMEN'S SUFFRAGE BILL.

A Bill for extending the right of voting at Parliamentary, Municipal, and County Council elections in the United Kingdom, to duly qualified women, was presented by the Lord Denman; read 1ª; to be printed; and to be read 2ª on Tuesday next. (No. 201.)

House adjourned at half past Seven o'clock, to Monday next, a quarter past Eleven o'clock.

HOUSE OF COMMONS,

Friday, 11th July. 1890.

QUESTIONS.

THE AMERICAN TARIFF.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the Under Secretary of State for Foreign Affairs if he can state what action the German Government proposes to take in response to the representations of German traders as to the effect of the new American tariff; and if, having regard to the certain injury the proposed prohibitory rates will inflict on this country, advantage can be taken of the present friendly relations to develop free trade between the United Kingdom and Germany, as also between the United Kingdom and the colonies, as a set off against the hostile tariffs of America?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): It is not likely that any such representation as that proposed would be attended with success.

MR. HOWARD VINCENT: I beg to ask the right hon. Gentleman if the attention of the Government has been called to the public declarations of Mr. Blaine, Secretary of State at Washington, to the effect that he is willing to propose to free American ports to nations of the American Continent, giving free trade to the products of the United States; and if, having regard to the free market accorded in the United Kingdom to competing American goods for the past 40 years, while the heavy duties imposed on British goods have nearly extinguished the National Debt of the United States, Her Majesty's Minister can be instructed to invite the American Government to refrain from pressing the prohibitory tariff proposals now before Congress, and to give Great Britain and Ireland fair commercial reciprocity?

*SIR J. FERGUSSON: We have reason to believe that the German Government do not propose to take any action at present in the matter of the United States Tariff Bill. I do not clearly understand what species of arrangement my hon.

Friend proposes in the second paragraph, but, as far as I can see, it would be inconsistent with the fiscal system of this country.

COMMERCIAL TREATIES.

MR. HOWARD VINCENT: I beg to ask the Under Secretary of State for the Colonies whether representations have been made to Her Majesty's Government by any of the self-governing colonies as to the termination of the clauses in the commercial Treaties with Foreign Countries, expiring in 1892 upon 12 months' notice, which preclude the colonies from extending preferential fiscal treatment to the products of other portions of the British Empire; and whether Her Majesty's Government will undertake that the Governments of these colonies shall be formally consulted before such clauses are renewed?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): I am not aware of any such representation. It is the practice to consult the self-governing colonies before any commercial Treaty is made applicable to them.

FLASHING SIGNALS—ADMIRAL COLOMB'S INVENTION.

ADMIRAL FIELD (Sussex, Eastbourne): I beg to ask the First Lord of the Admiralty whether there is at the Admiralty any letter or other document, signed by Admiral Colomb, reserving or claiming to reserve the right of supplying his night-signal apparatus to Her Majesty's Fleet; whether the Admiralty have taken the supply out of Admiral Colomb's hands and put it out to public contract; whether Admiral Colomb is now reaping any pecuniary benefit whatever from the use of his system of signals in Her Majesty's Fleet; and whether, in 1867, when the apparatus and system of flashing signals were adopted by the Admiralty, Lieutenant (now Admiral) Colomb's patent secured him any rights whatever against the Crown?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): There was no such formal reservation, but Admiral Colomb was the sole contractor with the Government for the supply of his patented signal lamps. He was not restricted from supplying his lamps to the public or foreign navies. The Admiralty propose for the future to place their orders for this apparatus by public contract. I am not aware that the gallant Admiral is deriving at present any direct pecuniary advantages from the use of his system of signals in the Navy. The patent taken out by Admiral Colomb secured him no rights against the Crown.

ADMIRAL FIELD: I beg to ask the Secretary of State for War whether the War Office, during the continuance of Admiral Colomb's patent for signal apparatus, took the supply out of his hands and put it out to public contract; and whether Admiral Colomb is now reaping any pecuniary benefit whatever from the use of his system of signals in the Army?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): It is not admitted that more than a small portion of the apparatus used in Army signalling is attributable to Admiral Colomb's inventions, and it has been held that his rights over that portion have been fully purchased by the award of £500 which was made to him. Beyond that payment in the past I am not aware that Admiral Colomb is reaping any benefit on account of the system of Army signalling.

THE SUPERANNUATION ACT.

MR. O. V. MORGAN (Battersea): I beg to ask the Secretary of State for War whether it is out of his power, in the case of a pauper lunatic, being also an Army pensioner, to hand over the whole of the man's pension to his wife, with the guardian's consent, or whether he is bound, by the "Superannuation Act, 1887," Section 7 (2), to make a deduction of 4s. a week; and whether, in this latter case, he proposes to take steps to alter the Law?

*MR. E. STANHOPE: The action of the present law is as stated in the question. My attention was not specially directed at the time to the effect which the legislation of 1887 would have; and I will now take an early opportunity of consulting the Treasury whether any remedy can be applied.

TRADE MARKS.

MR. FARQUHARSON (Dorset, W.): I beg to ask the President of the Board

of Trade whether his attention has been called to the fact that at the Greenwich Police Court on 28th June, when Messrs. Kearley and Tonge were convicted for selling tea with a false trade description, under the name of "Pure Ceylon Tea, Blackmoor Vale Estate. Imported by Kearley and Tonge," it was stated in evidence that although there was no such estate in Ceylon as the "Blackmoor Vale Estate," the Registrar of Trade Marks had allowed the name to be registered; and whether steps will be taken to remove the name from the register, and to prevent the registration in future of names calculated to mislead?

THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): Messrs. Kearley and Tonge are the successors to a firm trading as Heseltine, Kearley and Tonge, who were registered prior to the passing of the Merchandise Marks Act, as owners of certain two marks which exhibit as "added matter" the words "Blackmore Vale Estate." Under the Patents, Designs, and Trade Marks Acts, 1883-88, it did not devolve on the Comptroller to satisfy himself that the words claimed to be registered as "added matter" were a *bonâ fide* address. Since the Merchandise Marks Act, 1887, came into operation, however, the Comptrollor has, under the directions of the Board of Trade, made it a practice in cases of the kind to require an explanation of the appearance in connection with a trade mark of an address or name of a place other than that given as the address of the person claiming the registration of the mark, and an application for another tea-label bearing the same words "Blackmoor Vale Estate" has been withdrawn in consequence.

THE ROYAL PATRIOTIC SCHOOLS.

MR. O. V. MORGAN: I beg to ask the Secretary of State for War whether he is aware that, on the occasion of the presentation of prizes at the Royal Patriotic Schools, Wandsworth Common, on Tuesday, newspaper reporters were refused admittance; and what objection there is to such a matter of public interest being reported in the newspapers?

*MR. E. STANHOPE: There was no desire to exclude the Press, but admission was by ticket, and probably the representatives of the Press who were refused admission had omitted to ask for them. In future all reporters who wish to attend will be provided on application with the necessary orders for admission.

MARGARINE.

MR. O. V. MORGAN: I beg to ask the President of the Local Government Board whether, having regard to the decision of the Court of Queen's Bench in the case stated by the Magistrate at the Wandsworth Police Court, "Crane *v.* Lawrence," which was to the effect that margarine (which was not labelled) not exposed to the view of the purchaser was therefore not exposed for sale, and consequently it was not necessary that the same should be labelled as required by Section 6 of the Margarine Act, it is the intention of the Government to take steps to amend the Act, so that it shall express the meaning of the Legislature?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): In the case referred to the purchaser at a retail shop asked to be served with margarine, and he was served with the article in a paper wrapper upon which was printed the word "Margarine" in all respects as required by the Statute. At the time of the purchase the margarine was placed on the counter behind a screen similar to those used in butter shops for the purpose of the butter, &c., being prepared for sale. The margarine when behind this screen was not open to the view of any of the customers, and in the case which came before the High Court it was desired to obtain a conviction because the margarine when not in the view of customers had not attached to it a label marked "Margarine." The Magistrate held that no offence had been committed, as a label upon the margarine when it could not be seen would be useless. The Queen's Bench Division held that the Magistrate was right. Mr. Justice A. L. Smith said—

> "If the margarine is put in the shop for sale, and put in a place where it is visible to customers, then it is exposed for sale within the meaning of the Act and must be labelled, but unless it is thus exposed to view the Act does not apply."

I see no reason for considering that this decision is not in accordance with what was the intention of the Legislature, or

that it affords any ground for an amendment of the Act.

POLITICAL MOVEMENTS IN INDIA.

MR. BRADLAUGH (Northampton): I beg to ask the Under Secretary of State for India whether he is aware that in May the Agent to the Governor General for Central India issued a circular, directing that—

"No Maharajah, Raja, Nawab, or Thakore, within the jurisdiction of the Central Indian Political Agency shall subscribe to the 'Amrita Bazar Patrika,' without the permission of the Agent or Sub-agent;"

and that

"If any of their subjects holds communication with the 'Amrita Bazar Patrika,' or any other newspaper hostile to the Government, they should make inquiry as to the name, address, age, caste, &c., of the party through the police, and communicate the result to the Resident's office in the course of a month;"

and that

"On the least intimation of a public meeting or a political movement taking place in their States, the police should make inquiry into the matter;"

and that

"If anybody is suspected of being an Agent of the Congress, or a secret spy of a Bengalee newspaper, he should be turned out from the State within 24 hours, and the fact should be communicated to the Political Agent; no matter about their States to be communicated to any newspapers;"

and requesting the Native Chiefs not to help the Congress movement, on the ground that

"The future results of the Congress will be prejudicial to the interests of the Country, as it is an enemy to the British Government;"

and whether such circular was issued by his direction; and, if not, whether he will cause inquiries to be made on the subject?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): No, Sir; the Secretary of State has no information of any such circular as that referred to in the question of the hon. Gentleman. The question of the hon. Member will be sent to the Government of India.

INDIAN AND COLONIAL POSTAGE.

MR. MACDONALD CAMERON (Wick, &c.): I beg to ask the Chancellor of the Exchequer when the reduction in the rates of Indian and Colonial postage, as stated in his Budget speech, will take effect?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I am informed that the majority of the Australian colonies have agreed to the reduction, while New Zealand and the Cape Colony have given their assent, subject to certain conditions. Some important points have been raised by the Indian Government which are still under consideration. It is impossible to say when the negotiations will be finally arranged and a date fixed when the reduction of the rate will take effect.

THE INDIAN BUDGET.

MR. BRADLAUGH: I beg to ask the Under Secretary of State for India, having regard to the fact that his explanatory Memorandum on the Indian Budget was last year issued on the 15th of May, if he will state the cause of the delay this Session in the issue of such Memorandum; and when will it be circulated to Members?

SIR J. GORST: What the hon. Gentleman is pleased to call an "explanatory Memorandum" is a personal statement which I have been in the habit of circulating for the last year or two for the purpose of shortening my speech on the Indian Budget. It was issued early last year—on the 20th of May, I think—because an earlier discussion of the Budget was expected. It will be circulated this year a few days before the Committee on the Indian Budget is taken.

*MR. BRADLAUGH: May I ask the right hon. Gentleman whether, in regard to what he says I am pleased to call an "explanatory Memorandum," he did in print not so describe it himself last year?

*SIR J. GORST: The hon. Gentleman must give notice of that question.

CULTIVATING RYOTS IN JUMMOO.

MR. BRADLAUGH: I beg to ask the Under Secretary of State for India if he will state the number of cultivating ryots in Jummoo; and how many of them are, respectively, Moslems and Hindus?

*SIR J. GORST: I am extremely sorry that I cannot answer this question. The last Census was held in 1873, and record has been taken since.

*MR. BRADLAUGH : Does the right hon. Gentleman mean to say that he has less information now than he had the other night, when he made a statement upon the subject?

[The question was not answered.]

ADMINISTRATION OF CIVIL JUSTICE IN INDIA.

*MR. BRADLAUGH : I beg to ask the Under Secretary of State for India whether the Secretary of State is aware that the administration of Civil Justice in India costs Rs. 2,14,27,000, of which all but the small sum of Rs. 140,000 is obtained by taxation of the litigants, and that Bengal litigants are taxed Rs.140,000 more than the total cost of Civil Justice in the province; (2) whether complaints have reached him that the litigants of Bengal who pay more than the whole cost, are unable to get their cases tried, and the zemindars, whom the Government sell up when they do not pay by sunset the appointed amount, cannot obtain the necessary facilities for the recovery of their rents, and that the munsiffs are terribly overworked, and try cases in ill-ventilated huts, and there is much sickness among them in consequence; and (3) whether the Secretary of State will lay upon the Table the correspondence on this subject since 1870 between the High Court of Calcutta and the Government of India upon the requirements of the Bengal Judicial Service, the Government of Bengal, and the Government of India, and the Government of India and the Secretary of State?

*SIR J. GORST : My answer to the first paragraph of the question is that the administration of Civil Justice in India costs approximately Rs. 2,14,27,000 and is defrayed by fees paid by litigants. In Bengal, there is a surplus. In Madras the receipts and charges balance each other; and in the rest of India there is a loss. The total deficit exceeds 12½ lakhs. My answer to the second paragraph of the question is in the negative. In regard to the third paragraph, if the hon. Member will put himself in communication with me, the Secretary of State will consider whether any Papers can be usefully laid upon the Table.

*MR. BRADLAUGH : Does the right hon. Gentleman really mean that complaints have not reached him, because it appears on page 93 of the Blue Book on the Indian Financial Statement issued by himself this year, in the last paragraph but one from the bottom of the page, that there is a reference to this matter in the precise words of the question?

*SIR J. GORST : The question was whether complaints have reached the Under Secretary of State. No complaint has reached the Under Secretary of State.

*MR. BRADLAUGH : Have any complaints reached the Government of India?

*SIR J. GORST : I am afraid I cannot answer that question without notice.

*MR. BRADLAUGH : Does the right hon. Gentleman mean to say that a complaint made to the Vice-Regal Council and presented and circulated in a Parliamentary Paper to this House is a matter upon which he has no information?

*SIR J. GORST : The question of the hon. Member was whether certain complaints have reached me, and my answer is in the negative. I do not know what complaints may have reached the Vice-Regal Council. If the hon. Member will give notice he shall have a proper answer to the question.

*MR. BRADLAUGH : I beg to give notice that I will take the opportunity of raising the question fully on the Indian Budget.

MARITIME CONFERENCE AT WASHINGTON.

SIR GEORGE BADEN-POWELL (Liverpool, Kirkdale) : I beg to ask the Under Secretary of State for Foreign Affairs whether Her Majesty's Government have yet received the full documents relating to the recent International Maritime Conference at Washington, and when the final Papers on the subject will be presented to the House?

*SIR J. FERGUSSON : The Reports and Documents have been received and are being printed.

INLAND REVENUE OFFICERS.

SIR JOHN PULESTON (Devonport) : I beg to ask the Chancellor of the Exchequer whether he can state when any reply may be expected to the Petition of the officers of the Inland Revenue, forwarded early this year to the Commissioners, for transmission to the Treasury?

MR. GOSCHEN: The Commissioners are at present engaged in an examination of the question.

THE SCOTCH FISHERY BOARD.

MR. MACDONALD CAMERON: I beg to ask the Lord Advocate whether it is true that the Fishery Board for Scotland has given notice of dismissal to their recently appointed naturalist, Dr. John Beard; and, if so, whether the rumoured reason of economy is the only one?

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I am informed that Mr. Beard has received three months' notice from 1st June, in terms of his agreement, so that the Board may, if the state of their finances render it expedient, be in a position to terminate his engagement. There is, as I understand, no other reason for the notice being given.

MR. MACDONALD CAMERON: Is the right hon. Gentleman aware that a great want of harmony exists between the Fishery Board and their officers?

MR. J. P. B. ROBERTSON: No, I am not aware.

SIR JOHN WILLOUGHBY.

MR. LABOUCHERE (Northampton): I beg to ask the Secretary of State for War whether Captain Sir John Willoughby, Royal Horse Guards, has been seconded for extra regimental duty; whether this duty is connected with the operations of a Chartered Company in Africa; if not, what is the nature of the duty; whether, during the period that he is seconded, he receives pay as an officer of the Army, and the time will count towards his pension, and under what Royal Warrant he has been seconded?

*MR. E. STANHOPE: Captain Sir John Willoughby has been allowed to accept the position of a Staff Officer in the service of the British South African Company. While thus employed he will not receive any pay from the Army Funds; and if he retires on a pension, a reduction will be made in respect of such extra Regimental Service.

THE GUARDS.

MR. E. KNATCHBULL-HUGESSEN (Kent, Faversham): I beg to ask the Secretary of State for War if, in the case of the Guards in London requiring re-inforcing in the future, he will consider the advisability of ordering up a battalion from Windsor or the Tower, or some station near at hand, and thus avoid expense to the public?

*MR. E. STANHOPE: The movement of troops is necessarily dependent upon the requirements of the War Office.

LIGHT SIGNALLING.

MR. WOOTTON ISAACSON (Tower Hamlets, Stepney): I beg to ask the First Lord of the Admiralty whether there is any objection to laying upon the Table of the House copies of the Correspondence between the inventor of the occulting system of light signalling, Mr. Charles Babbage, and the Admiralty, also that of Major General Babbage and the Admiralty?

*LORD G. HAMILTON: I must refer the hon. Member to the answer I gave in the House last night in reply to the hon. Member for the Stroud Division of Gloucestershire. The sum proposed to be paid to Admiral Colomb is not a reward for the invention of flashing signals, but in further recognition of the services of the gallant Admiral in the introduction and application of a system of flashing signals for naval purposes. I do not think, therefore, that there would be any advantage in the publication of the correspondence referred to.

SAVINGS BANK CLERKS.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Postmaster General whether 70 established clerks in the Savings Bank Department sent him, on the 5th of June last, a Memorial objecting to their being placed in the Second (or Lower) Division of the Civil Service; whether, no reply having been sent them, they forwarded another Memorial on the 3rd of July, to which no reply has been received; whether, notwithstanding these protests, he has presented the names of these officers to the Civil Service Commissioners for appointment to the Second Division; and when they may expect a reply to their Memorial?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): The facts stated by the hon. Member are substantially correct. The clerks to

whom he refers were appointed to the "second," not the "lower" division—no "lower" division exists—on April 16 last, and the arrangement is one which, in my opinion, is beneficial to their interests. It would not, in my judgment, be compatible with the public interest to take these officers out of the Second Division, and, after this answer to the hon. Member's question, I hope that no further reply to the Memorials will be necessary.

MR. PICKERSGILL: Is it not a most unusual thing for the head of a Department not to send a reply to a Memorial couched, so far as appears, in proper terms?

*MR. RAIKES: The matter has been explained more than once.

MR. PICKERSGILL: Is it the usual course?

*MR. RAIKES: I do not think it is unusual.

SCOTCH FISHERY HARBOURS.

MR. ANGUS SUTHERLAND (Sutherland): I beg to ask the First Lord of the Treasury whether, in view of the admitted necessity for improved Fishery Harbours on the coast of Scotland, the Government will consider the advisability of devoting part of Scotland's share of the taxation specified in the Local Taxation Bill to the construction of such harbours?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The suggestion of the hon. Member will be considered by Her Majesty's Government, together with very many other suggestions on the same subject.

THE ACT OF UNION.

MR. WEBB: I beg to ask the First Lord of the Treasury if he will explain under what authority "Great Britain" only is now constantly employed in official documents, as in Articles I., II., and XI. of the Agreement with Germany regarding Africa and Heligoland, and in Consular Reports, although it was agreed under the Act of Union that the Power theretofore known as "Great Britain" should in future be known as the "United Kingdom of Great Britain and Ireland"; whether he is aware that the use of "Great Britain" in the double sense of "Great Britain" and of the "United Kingdom" is often misleading in matters of trade and statistics; and whether there would be any objection to issuing orders to persons negotiating on behalf of Her Majesty, and to persons representing Her Majesty abroad, properly to designate in their official communications the Kingdom over every portion of which Her Majesty's reigns?

MR. HOWARD VINCENT: Before my right hon. Friend answers this question I should like to ask him whether, having regard to the fact that the United Kingdom of Great Britain and Ireland represents only one seventy-fourth part of the area of the Queen's Dominions, and contains less than one-eighth of Her Majesty's subjects, the style of the British Empire would not be more correct in Treaties and communications with Foreign Powers, than either Great Britain or the United Kingdom?

*MR. W. H. SMITH: I have always been of opinion that the United Kingdom implies the dependencies of the United Kingdom not properly dependencies, but subject to the Queen, wherever they may be found. If by any chance in any public document the United Kingdom is not specified, the phrase Great Britain used as a short title is by no means held to imply that Her Majesty's Government, or those who are acting on their behalf, are unconscious of the claim of Ireland to be included in her proper place in the United Kingdom of Great Britain and Ireland.

*MR. WEBB: Is it not a fact that the practice tends to lower the prestige of Ireland abroad?

[No answer was given.]

THE ANGLO-GERMAN AGREEMENT.

MR. CHANNING (Northampton, E.): I beg to ask the First Lord of the Treasury whether, having regard to the fact that it is now acknowledged that the consent of France is necessary before effect can be given to the protectorate of Great Britain over Zanzibar, and that negotiations are now pending between Great Britain and France on this point, Her Majesty's Government will postpone further proceedings as to the Anglo-German Agreement Bill until the negotiations with France are concluded, and the terms on which France will assent to the protectorate are made known?

*MR. W. H. SMITH: The question of the hon. Member refers to matters on which communications are going on between Her Majesty's Government and the French Government, and I am, therefore, unable to say anything concerning them. But I am not able to give the undertaking suggested by the hon. Gentleman.

IRELAND—CORONERS' SALARIES.

MR. M'CARTAN (Down, S.): I beg to ask the Attorney General for Ireland whether his attention has been called to the decision of the Judges in a case reserved by Mr. Justice Andrews at the Spring Assizes of 1889, for the County of Down, whereby they decided that the annual salary payable to every Coroner ought to be calculated anew in each year, according to the average amount of fees upon the inquests held by him, or his predecessor in office, during the five years then last past; whether he is aware that it was contended on behalf of the Coroners of Down, that the third section of "The Coroners' (Ireland) Act, 1881," which substituted an annual salary in lieu of the fees formerly paid to Coroners, provided, or was intended to provide, that the annual salary was then to be fixed once for all, on the calculation to be first made after the passing and pursuant to the third section of said Act, and an annual salary, so calculated, was paid to Coroners in Ireland from the passing of the Act up to the time of this decision; and whether, considering that this section of the Act was intended to prevent unnecessary inquests, and that it so operated before the decision of the Judges was given, and considering also that, by this decision, Coroners in Ireland have now a pecuniary interest in holding the greatest number of inquests in every year, he will make inquiry into the matter with the view to have their salaries fixed once for all, as was intended during the passing of the Act?

*THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I have considered the papers which the hon. Member has been good enough to send me bearing upon this question. I am disposed to agree with him that the construction which the Judges were compelled to put on the language of the Coroners Act, 1881, is probably at variance with the framers of that Act. I cannot promise to deal with the matter during the present Session, but I hope to consider it during the recess, which is now rapidly approaching.

SHADOWING.

MR. BYRNE (Wicklow, W.): I beg to ask the Attorney General for Ireland whether his attention has been called to a paragraph in the *Leinster Leader*, of the 5th July instant, which states—

"That Mr. P. J. Healy, Baltinglass, still continues to be the subject of more persistent police surveillance. At Tinahely Fair, on Wednesday, the police were on his track wherever he went through the town in the transaction of his private business. Not only did they follow his every movement in the public streets, but when Mr. Healy had occasion to enter private houses to make visits to friends in the town, the police forced an entrance after him and refused to leave while Mr. Healy remained in the house;"

whether he is aware that this Mr. Healy was acquitted by two Resident Magistrates of any criminal act; whether he will cause the police not to interfere with this man in future; and whether he will consider the advisability of putting a stop to following persons into private houses?

*MR. MADDEN: The Constabulary Authorities report that it is the case that, at the fair held at Tinahely on 25th June, the movements of Patrick Healy were watched, there being reason to believe that he is engaged in conjunction with the local branch of the National League, in endeavouring to promote the boycotting of a man who took the farm from which Healy had been evicted. But that it is not the case that the police followed him into any private house, the only places they entered after him being licensed premises. It is the case that Healy was subsequently charged at Petty Sessions with having committed intimidation on the 21st May, and that the Magistrates dismissed the case. In doing so, however, they stated that the case was a very suspicious one, but that they had given the defendant the benefit of the doubt.

MR. FLYNN (Cork, N.): I beg to ask the Attorney General for Ireland whether his attention has been called to the reports in the Cork papers, from which it appears that two brothers,

Edmond and David Kent, were at Fermoy fair on 6th instant, engaged in selling some lambs, when a constable came and "shadowed" David Kent for a considerable time; that this man, David Kent, then went and stood beside District Inspector Ball, and followed the Inspector about the fair, he himself being followed meanwhile by the constable; that District Inspector Ball spoke to Mr. Kent, and said, "If you persist in following me I will have you arrested;" and that Kent replied that he had been prevented from doing his business by the constable shadowing him, and that if the Inspector withdrew the constable he would not follow the Inspector; if it is true, as reported, that the Inspector thereupon ordered the shadowing constable to arrest Mr. Kent, who was kept in custody from 9 a.m. until 3.30, and then summoned under the Crimes Act; and whether he can state under what authority was Mr. Kent arrested, and why was he shadowed in the manner described?

*Mr. MADDEN: I must ask the hon. Gentleman to postpone the question. The matter is *sub judice*, and, therefore, I am unable to make a statement.

NATIONAL SCHOOL TEACHERS.

Colonel SAUNDERSON (Armagh, N.): I beg to ask the Attorney General for Ireland whether he is aware that James Fenlon, a National school teacher of Carlow Graigne, attended a meeting at Carlow Graigne on 1st June of this year, the meeting in question being held with the object of establishing a memorial to the rebels who fell in 1798, and that James Fenlon was member of the committee of said memorial; and whether attending such meeting, and being on said committee, incapacitates him from retaining his position as a National school teacher?

*Mr. MADDEN: I am informed that the facts are as stated in the first paragraph of the question, and that the matter is under the consideration of the Commissioners.

Mr. SEXTON (Belfast, W.): Have not the Irish people as much right to remember '98 as Englishmen have to remember the 5th of November?

[No answer was given.]

MOONLIGHTING.

Mr. JOHN KELLY (Camberwell, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the report in the *Evening Standard* of the 7th instant, that on the previous day, while the people were attending mass at Scartaglin, a party of moonlighters visited the house of a farmer, named Patrick Nolan, of Knockour, and severely beat a little girl, who was the only person in the house at the time; and whether any of the persons engaged in this alleged outrage on this little girl have been arrested?

The CHIEF SECRETARY for IRELAND (Mr. A. J. Balfour, Manchester, E.): The Constabulary Authorities report that it is the case that three men armed, and one of them partly disguised, came to Nolan's house on Sunday during Mass. The man's daughter was not beaten. She ran out of the house when she saw the armed party approaching. They fired shots into the house, breaking a clock and other articles. The motive is believed to have been to compel Nolan to leave the service of a person by whom he has been employed. No arrests have been made.

Mr. T. M. HEALY: Would the right hon. Gentleman be good enough to use his influence to get the newspaper that supports him—the *Standard*—to withdraw the blackguard attacks it has made on Members of this House?

Mr. E. HARRINGTON: Is it not the fact that there was nothing but the statement of the child to warrant the story?

[No answer was given.]

POLICE PROTECTION TO LANDLORDS.

Mr. MAURICE HEALY (Cork): I beg to ask the Attorney General for Ireland whether it is the practice of the Irish Government to give police protection to landlords who, instead of resorting to the ordinary legal processes, attempt to collect their rents by making distresses with their own bailiffs?

*Mr. MADDEN: It is not the practice to give police protection in the circumstances mentioned in the question. Several applications for such protection have been refused.

MR. M. HEALY: If a landlord levies a distress on a tenant, and intimates to the Executive that he wants police protection, is such protection given?

*MR. MADDEN: No, Sir.

MR. M. HEALY: Is it not the fact that whenever a landlord makes a distress there is a policeman on the spot to see it carried out?

*MR. MADDEN: No, Sir.

CORK LUNATIC ASYLUM.

MR. MAURICE HEALY: I beg to ask the Attorney General for Ireland if he can now state what decision the Irish Government have come to with regard to the recent Report of their Inspectors, as to the overcrowding of the Cork Lunatic Asylum, and the necessity for additional accommodation for the inmates?

*MR. MADDEN: The Report of the Inspectors is receiving the careful consideration of the Board of Governors of the Asylum. The Report itself shows that at the date of the Inspectors' visit the contractor was at work on the foundation of an additional block of buildings. The Governors have directed the architect to furnish plans for the erection of additional baths, as recommended, and they have also referred to their architect the question of enlarging the laundry.

CHARGE AGAINST AN IRISH POLICE CONSTABLE.

MR. CAREW (Kildare, N.): I beg to ask the Attorney General for Ireland whether a member of the Dublin Metropolitan Police Force, No. 39, F Division, named Richard Hewett, and at present stationed at Kingstown, is the same man who was arraigned before the Magistrates at Newbridge, County Kildare, in criminal charges on two occasions, namely, on the 6th December, 1888, and in July, 1889, and who was convicted and fined on each occasion; and, if so, whether Richard Hewett will be retained any longer in the Dublin Police Force?

*MR. MADDEN: The Commissioner of Police reports that this constable, before appointment to the Force, appears to have been fined for an assault which, he stated, was committed in his own defence. With a knowledge of the whole circumstances of his case, he was highly recommended for appointment to the Dublin Police by two local Justices of the Peace, by two clergymen, and by the local Constabulary Authorities. He also receives a good character from the officer under whom he is serving. It is, therefore, the intention of the Commissioner to retain him as a member of the Dublin Police.

MR. DILLON (Mayo, E.): Is the right hon. Gentleman aware that in July last this man Hewett was charged with presenting a revolver at a man on a road near Kildare, and threatening to put the contents of six chambers into him? Is it also the fact that Hewett appeared to have been in a state of *delirium tremens* at the time?

*MR. MADDEN: I believe that the hon. Gentleman has been misinformed as to the facts of the case.

RAILWAY FROM STRANORLAR TO GLENTIES.

MR. DALTON (Donegal, W.): I beg to ask the Secretary to the Treasury whether, in view of the resolution passed by the Board of Directors of the Finn Valley Railway Company, that they are prepared to work the extension railway from Stranorlar to Glenties at cost price, and, in view of his statement that the Government attach great importance to satisfactory arrangements for working being made, if possible, with existing railway companies, now that this company have proposed satisfactory arrangements for working this extension, the Government are now prepared to forward the Stranorlar and Glenties scheme?

*THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): The proposals are receiving consideration; but I am unable to say at present whether the arrangements will be found to be satisfactory or not.

MR. DALTON: Is not the company who have undertaken to make the extension exactly the same company who have undertaken to work the Killybegs extension?

*MR. JACKSON: No doubt it is the company that works the West Donegal line; but I think the hon. Member will see that the arrangements for working the line may be very different.

BUNINNADDEN BOYS' NATIONAL SCHOOL.

MR. LEAMY (Sligo, South): I beg to ask the Attorney General for Ireland why it is that, since the 30th of June, 1888, the teacher of the Buninnadden Boys' National School has been denied the assistance of a monitor, although the average attendance during the year, which commenced on that day, was sufficient to entitle the teacher to that assistance; whether the average attendance at present is sufficient; whether the Commissioners have been frequently asked by the Very Rev. Canon MacDermot to appoint as monitor a boy who passed in the 1st stage of the 6th class at the last results examination; and will the appointment be now made?

*MR. MADDEN: The Commissioners of National Education report that the school is not one in which the Inspector would be justified in recommending the appointment of a monitor, as the teacher, who had to be censured upon the result of the two last annual examinations of the school for its very inferior condition, could not be considered qualified to instruct and train monitors. The average attendance is now sufficient, but this is one only of the conditions under which a monitor may be appointed. The Very Rev. Canon MacDermot has never asked the Commissioners to make the appointment, but the Very Rev. Canon Stenson, manager of the school, wrote a letter on the 6th instant to the Commissioners applying for the appointment. The candidate monitor, John Henry MacDermot, however, even if the teacher were thoroughly efficient, could not be appointed, for at the examinations he failed in spelling, in grammar, and in geography, and the ordinary scholar's course.

CAVAN, LEITRIM, AND ROSCOMMON LIGHT RAILWAY.

MR. KNOX (Cavan, W.): I beg to ask the Secretary to the Treasury whether his attention has been called to a resolution passed by a body entitled the "Belturbet Railway Tax Committee," and supported by the Grand Jury of the County Cavan, calling upon the Government to relieve the severe pressure upon the cess payers on account of the Cavan, Leitrim, and Roscommon Light Railway by a further Treasury guarantee of three per cent. instead of two per cent., combined with a reduction of the interest guaranteed from five per cent. to three per cent.; whether he is aware that a strike against the extra cess has been contemplated in the district; whether he is aware that in parts of Leitrim the extra county cess on account of this railway amounts to 1s. 10d. in the £1; and whether, considering the burden on the people, Her Majesty's Government will propose any measure to meet the difficulty, or will consent to the appointment of a Select Committee, consisting of the Members from the district and the Member for North Armagh, with power to draw up a scheme, to be embodied in a Bill, dealing with the question?

*MR. JACKSON: I have not seen the resolution referred to, nor have I heard that a strike against extra cess is contemplated in the district. The burden is one which was voluntarily assumed by the district four or five years ago, with the object of obtaining railway communication.

THE IRISH CONSTABULARY.

MR. MAURICE HEALY: I beg to ask the Attorney General for Ireland whether he has seen the Report of the proceedings of the Rathmore (County Kerry) Petty Sessions, on the 14th June and subsequent days, from which it appears that a number of men were charged with having assaulted the police, that two of the police assaulted (Constables O'Connor and Lett), who were at the time carrying rifles, admitted that they had been drinking previous to the occurrence, and that the two policemen, Burns and Cullinane, concerned in the case of the disturbance at Timoleague, County Cork, on the 3rd September last, in which Daniel Donoghoe lost his life by a revolver shot fired by Constable Cullinane, also admitted that they had been drinking previous to the occurrence; whether his attention has been called to the increasing frequency of cases of this kind, pointing to the spread of drinking habits among the Irish police; and whether any of the constables referred to were on duty on the occasions in question?

*MR. MADDEN: As regards the case referred to in the first paragraph, all the charges against the police were dismissed at Petty Sessions on the 7th inst., and the charges made by them against the defendants were sustained, and all the accused, with the exception of one, who was fined, were sentenced to various terms of imprisonment, against which they have lodged appeals. The case against the two constables on disciplinary grounds will be inquired into by the Constabulary Authorities, as soon as it can be done without prejudice to the appeals pending. With respect to the case referred to in the second paragraph, although Constables Burns and Cullinane admitted that they had taken drink on the evening of the occurrence at Timoleague, it was proved that they were sober, both before going on duty at the time of the riot and after their return from that duty, and the Judge expressed a strong opinion in favour of the police. As already stated, the Inspector General reports that there is no ground for the suggestion that there has been a spread of drinking habits among the police. The four constables were on duty on the occasions in question.

COLONEL SAUNDERSON: I beg to ask the Attorney General for Ireland whether he has seen the report that two constables were stoned on the evening of 6th July at Tipperary, whilst engaged in ordinary police duty; and whether any arrests have been made in connection with this case?

*MR. MADDEN: The Constabulary Authorities report that it is the case that while two constables were engaged in arresting a man at Tipperary on the charge of being drunk and disorderly they were set upon by a crowd of some 200 persons, who struck the constables with stones, and kicked them, inflicting injuries of such a nature as to necessitate the removal of one of the constables to hospital on the following day, and to render the other unfit for duty for the present. One arrest has been made, and others are expected to follow.

ATHLONE UNION WORKHOUSE.

DR. COMMINS (Roscommon, S.): I beg to ask the Attorney General for Ireland on what grounds the Local Government Board refuse to sanction the appointment of Mr. Peter Keogh, as master of the Athlone Union Workhouse; what are the nature of the convictions alleged against Mr. Keogh; and, previous to their appointment to the position now held by the Magistrates, what was the judicial experience of those who acted as Magistrates on the occasion?

*MR. MADDEN: The Local Government Board have refused to sanction the appointment of Mr. Peter Keogh as master of the Workhouse of Athlone Union on the grounds (1) that he has had no experience whatever of the duties of the office, and (2) that he was convicted and fined for an assault in September, 1886, and was also sentenced to imprisonment for two months with hard labour in August, 1887, for taking part in a riotous and unlawful assembly. In the latter case, the decision of the Magistrates was affirmed on appeal by the County Court Judge. For the reasons mentioned above the Local Government Board do not consider Mr. Keogh a suitable person to fill the office of Workhouse master. The Resident Magistrates before whom the charges in question were heard were all Magistrates of experience, and two of long service.

TELEGRAPH STATION AT EYRIES.

MR. GILHOOLY (Cork, W.): I beg to ask the Postmaster General whether he has received a Memorial from the inhabitants of Eyries, County Cork, praying for the establishment of a Telegraph Station and Savings Bank at the village of Eyries; whether said Memorial has also been signed by 200 fishermen from Alklow and the Isle of Man; and whether, in view of the facts that Eyries has become a very important fishing and curing district, containing seven curing stations, the harbour of Ballycrorane, which is convenient to Eyries, is frequented by a large fleet of foreign fishing vessels, and that the harbour referred to and the fishing stations are eight miles from telegraphic communication, he will take steps to establish a Telegraph Station and Savings Bank in the interests of the fishing industry of the district?

A LORD OF THE TREASURY (Sir H. MAXWELL, Wigton): The Memorial to which the hon. Member refers has not yet reached my hands, but I understand that it has been received at the Post Office in Dublin, and that careful inquiries

are being made with a view to a Report being submitted to me on the subject.

CASTLEISLAND.

MR. GILHOOLY: I beg to ask the First Lord of the Admiralty whether the coastguards at Schull, County Cork, are compelled to give boat attendance to emergency men and policemen who reside at Castleisland; and whether it is considered part of their duties to do so; and, if not, will the boat attendance referred to be discontinued?

LORD G. HAMILTON: When no country boat is available and the immediate duties of the coastguard admit of it, on the requisition of the police for conveyance to any of the islands, it is the duty of the coastguard to give such assistance, and it has been given at Castleisland, but will not be given if country boats are available.

MR. GILHOOLY: I had intended to ask the Chief Secretary for Ireland whether any moneys are due to the Board of Public Works, Ireland, on the farms from which Messrs. James Leahy, Jeremiah Nugent, and Michael Donovan have been evicted at Castleisland, County Cork, and of which Mr. Thomas Henry Marmion is now in occupation; if moneys are due on them what are the amounts; and what steps have been taken, if any, to recover them; but at the request of the right hon. Gentleman I will postpone the question until Monday.

MR. HUME DICK.

MR. WEBB (Waterford, W.): I beg to ask the Attorney General for Ireland if he can give the grounds on which Mr. Hume Dick has been given a seat on the Irish Privy Council?

*MR. MADDEN: I am informed that the name was submitted to Her Majesty by the Lord Lieutenant, the Lord Lieutenant being of opinion that the gentleman is well qualified to be appointed.

COURT OF BANKRUPTCY IN IRELAND.

MR. MAURICE HEALY: I beg to ask the Attorney General for Ireland whether the attention of the Lord Chancellor of Ireland has been called to the resolution passed recently by the Cork Chamber of Shipping and Commerce, asking that the jurisdiction of the Local Court of Bankruptcy should be extended to the Counties of Cork and Waterford; whether the staff necessary for the Court as at present constituted would be quite adequate for the additional work thus provided, so that no additional expense would be involved; whether the Local Court is at present worked at a loss to the Treasury, but would pay its way if the two additional counties were added; and whether, in view of the close commercial relations which exist between the Counties of Kerry and Waterford and the City of Cork, and the great resulting advantage to the commercial community of the district, as shown by the excellent manner in which the Court has worked within its present limited jurisdiction, the Lord Chancellor will now, by Order in Council, bring the counties mentioned within the jurisdiction of the Court?

*MR. MADDEN: The Lord Chancellor of Ireland informs me that his attention has been called to the resolution referred to in the question, and that the subject of the development of the local jurisdiction conferred by the Act of 1888 on this Court is engaging his careful consideration. He is, however, of opinion that it would not be wise to take the step suggested in the question until we have had further experience of the working of the Courts constituted by that Act.

THE QUIN BEQUEST.

MR. JUSTIN HUNTLY M'CARTHY (Newry): I beg to ask the Attorney General what has been done in the case of the "Quin Bequest" to Newry?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I am informed that the Chief Clerk's certificate containing the scheme for the Quin Charity will be completed in a few days, and that before the Long Vacation an order will be obtained directing funds to the value of £120,000 to be transferred to the Commissioners of Charitable Donations and Bequests for Ireland. The carrying out of the scheme will commence as soon as the £120,000 has been transferred.

THE POSTAL SERVICE.

MR. SYDNEY BUXTON (Tower Hamlets, Poplar): I desire to ask the First Lord of the Treasury whether, in view of the unfortunate state of affairs

existing in the Post Office, he will not appoint a Committee, departmental or otherwise, to inquire into the grievances of the men?

*MR. W. H. SMITH: Although the condition of affairs is unfortunate, and although the Government very deeply regret that a number of most valuable public servants should have placed themselves in a wrong position, they think it would not be for the public interest that the responsibility of the head of the Office should be interfered with under circumstances of this character by the appointment of a Committee.

EARL COMPTON (York, W.R., Barnsley): Might not this matter be referred to the Royal Commission on the Civil Service?

*MR. W. H. SMITH: The Commission is not now sitting, and it was not constituted with a view to dealing with questions of a character such as this. I trust the House will maintain the responsibility of the heads of Public Departments and call them to account if, in their judgment, they think they have done wrong.

MR. CONYBEARE (Cornwall, Camborne): I wish to ask the Postmaster General whether he has received a letter from Mr. George Shipton in respect to the dispute now going on in the Post Office; whether his answer, as published in the *Daily News*, is correct; and whether, in view of the disorganisation of the Service, to the great inconvenience of the public, he will consent to receive from any other quarter representations of the real grievances of which the men complain?

*MR. RAIKES: I have not seen the *Daily News*, but I perceive that the answer to Mr. Shipton is correctly given is several of to-day's newspapers. I have nothing to add to the statements therein made.

MR. CONYBEARE: I should like to ask the right hon. Gentleman whether, although he has nothing to add to his letter, he will be willing to accept the intervention of a Member or Members of this House who might be authorised by the postmen to introduce a deputation to him personally, in order that he may personally receive the views of the men?

*MR. RAIKES: I have had the pleasure of receiving a deputation of postmen to-day, who, I think, are much better judges of their own affairs than the hon. Gentleman opposite.

MR. HOWELL (Bethnal Green, N.E.): May I ask the right hon. Gentleman whether the letter received by him from Mr. Shipton was not a letter authorised by the Representatives of the Post Office?

*MR. RAIKES: I have no knowledg about that. I received a letter from Mr. George Shipton, who, I understood, represented a body called the London Trades Council.

MR. CONYBEARE: In consequence of the unsatisfactory character of the right hon. Gentleman's answer, I beg to give notice that I shall ask leave to move the Adjournment of the House. ["Oh!"]

Subsequently,

MR. CONYBEARE said: I beg to ask the Postmaster General what was the result of the deputation of postmen?

*MR. RAIKES: I was waited on by a deputation of some of the postmen of the East Central district. They put before me various points, which I promised to consider after carefully listening to them, and I explained to them various matters as to which, up to the present time, I think they have been imperfectly informed. I think the interview is likely to lead to very good results, but in the circumstances of the case I do not think I should be justified in laying details of the conversation before the House on the present occasion.

MR. CONYBEARE: In view of the reply of the right hon. Gentleman, Sir, which is of a very much more satisfactory nature than his previous one, I do not feel I should be justified in trespassing upon the time of the House with a Motion for the Adjournment.

BUSINESS OF THE HOUSE.

In reply to Mr. SEXTON, Mr. HEALY, and Mr. J. MORLEY (Newcastle-upon-Tyne),

*MR. W. H. SMITH said: I think it would be for the convenience of the House that we should proceed on Monday and Tuesday next with the Irish Votes in Supply. I propose to make a Motion on the subject of Wednesday sittings next week. I hope it will be possible to take the Report of the Constabulary Vote on Monday. If not, notice will be given.

MR. W. E. GLADSTONE: Will the right hon. Gentleman arrange that the Report of Supply to which he has alluded will be taken at a convenient hour?

*MR. W. H. SMITH: I will consider the question with a view to meeting it.

REVENUE, 1889-90.

Return ordered—

"Of all Taxes and Imposts from which the Imperial Revenue of the United Kingdom was raised, together with the gross Revenue, in the year ended the 31st day of March, 1890, with the cost and charge of collecting the same under each head, these charges being deducted and leaving the net amount of Revenue."

"And of the aggregate Revenue collected in each of the previous ten years (in continuation of Parliamentary Paper, No. 289, of Session 1889)."—(*Mr. Jackson.*)

Return presented accordingly; to lie upon the Table, and to be printed.—[No. 297.]

DEEDS OF ARRANGEMENT BILL.
(No. 264.)

Lords' Amendment to be considered forthwith; considered, and agreed to.

SELECTION (STANDING COMMITTEES.)

Sir JOHN MOWBRAY reported from the Committee of Selection; That they had discharged Mr. Staveley Hill from the Standing Committee on Law, and Courts of Justice, and Legal Procedure, and had appointed in substitution: Mr. Edward Stanhope.

Report to lie upon the Table.

MESSAGE FROM THE LORDS.

That they have agreed to—Orchards Rating Exemption Bill; Superannuation (War Department) Bill, without Amendments.

WAYS AND MEANS.

Considered in Committee.

(In the Committee.)

Resolved, That towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March, 1891, the sum of £11,850,436 be granted out of the Consolidated Fund of the United Kingdom.

Resolution to be reported upon Monday next.

Committee to sit again upon Monday next.

MOTION.

VOLUNTARY SCHOOLS MANAGEMENT BILL.

On Motion of Mr. Charles Acland, Bill to amend the Law relating to the Management of Voluntary Schools, ordered to be brought in by Mr. Charles Acland, Mr. Robert Reid, Mr. Fuller, and Sir Matthew White Ridley.

Bill presented, and read first time. [Bill 378.]

ORDERS OF THE DAY.

SUPPLY—CIVIL SERVICE ESTIMATES, 1890-91.

Considered in Committee.

(In the Committee.)

CLASS II.

1. £26,394, to complete the sum for the Chief Secretary for Ireland—Offices.

(4.32.) MR. DILLON (Mayo, E.): When I was interrupted last night I was pointing out the grave cause of complaint that we Irish Members have against the right hon. Gentleman the Irish Secretary on account of the tone of his answers. I said that the acts of violence committed by the police in Ireland were in large measure due to the tone and temper exhibited by the Chief Secretary in this House. The complaints of the sufferers from police brutality at Cashel and Tipperary have been brushed aside by the right hon. Gentleman as contemptible, on the ground that no cases were treated in hospital. I proved that at least 30 or 40 men were struck down, and numbers of men came up to me who had had their heads broken open by police batons, and who had blood streaming down their faces. The right hon. Gentleman said they were trifling cases. What I complain of is that deliberately in this House, in words that have been read by every policeman in Ireland, the right hon. Gentleman spoke of the knocking down of peaceable citizens by blows on the head which caused blood to flow freely as trifling matters. I do not wonder that the Irish policemen draw their batons, and use them continually without the slightest compunction, when the right hon. Gentleman talks in that way. I put three plain and specific questions to the right hon. Gentleman as to the legality of the proceedings of the police on that occasion. The right hon. Gentleman did not answer me on any one of those questions,

and his only reply to me was a statement that every charge of the police in Tipperary on that day was provoked by some outrage of the character of stone-throwing. I proved clearly that in numberless cases there was nothing of the kind and no resistance to the police, but the right hon. Gentleman abstained from giving any expression of opinion which would have acted as a check on the police in future. On the contrary, he stated that the police were justified in everything they did. It is a remarkable and interesting fact that no prosecutions have been undertaken by the Government in consequence of the Cashel and Tipperary meetings. I believe the reason is that the right hon. Gentleman is afraid of the evidence that would have been given at the trials. A Debate in this House is bad enough, and he does not want to have sworn testimony as to the conduct of the police on those occasions. I think it constitutes a serious and great grievance against the right hon. Gentleman that during the three and a half years he has been responsible for the Government of Ireland, while he has always been ready to shed crocodile tears over the sufferings of land-grabbers who, it is alleged, are boycotted, he never has expressed any sympathy for the people whom the police dragoon and injure. Another charge which I have to bring against the Irish Executive is that they are in the habit of deceiving this House by means of cooked and unreliable statistics. The officials in Ireland, knowing what the right hon. Gentleman wants at any given time, supply statistics to order. I believe the statistics as to boycotted evicted farms are utterly unreliable and false. I do not charge the right hon. Gentleman personally with this, but I do charge his officials with it. No doubt since the year in which the Coercion Act was passed, there has been a diminution in the number of boycotted farms, but that is due to the fact of our having replanted dispossessed owners in their old farms. That operation has been going on all over Ireland. I was amused by reading the other day a letter from a League Secretary in the County of Louth with regard to the decrease in boycotting. He said—

"I have read Mr. Balfour's speech, but really, Sir, what can we do in this parish, seeing that last week we had bonfires on all the surrounding hills to celebrate the re-instatement of the last evicted tenant in the last boycotted farm in our parish? What can we do, as we have no farm to boycott?"

This enthusiastic Secretary thought it was a matter of reproach to his parish that they had no boycotted farm in it. Well, then we are furnished with a list of boycotted individuals in Ireland, which swells or dwindles in accordance with the desire of the right hon. Gentleman. We have, on more than one occasion, pressed the Chief Secretary to give us the only means by which the statistics can be tested, namely, the names and particulars of each case. What was the answer? He would not give us the names of the persons because they might become known in the district, and be subjected to annoyance. Of all the grotesque arguments ever brought forward in the House that is the most grotesque. The boycotted farms and persons must be known in the different districts already. The fact is, there is a monstrous system of falsification and dishonesty practised in the preparation of these statistics. I have here a judgment of Mr. Justice Monroe, which affords an illustration of the extraordinary system which prevails in some parts. The judgment has reference to King's estate, in County Leitrim. The people of the district were very poor, and, on their own responsibility, resisted the payment of rent. The agent of the estate had under him a gentleman named Cooke. In the judgment it was shown that Cooke put in a claim for £76 4s., £44 10s. of which was charged for the use of two horses and carts in carrying provisions and coal to the men in the protection huts. Mr. Cooke alleged that the men in his employ were boycotted, and could not buy any provisions, and he was, therefore, obliged to take them provisions twice a week a distance of 16 miles. Two of the labourers alleged to be boycotted came up and swore that they could buy provisions, and that Cooke never brought them any at all. These labourers have been returned, I have no doubt, as boycotted individuals, but when the case came before the Court in Dublin it was found the whole thing was a monstrous and gigantic fraud, the sub-agent of the estate plundering his prin-

cipal on the plea of having his men boycotted. That is a sample of what is going on. There are other cases in which men make a good income out of the hiring of their own cars to take their own police escort with them. Such a system is a disgrace to the Chief Secretary. We have no means of knowing to what extent the fraud has been practised. So long as the right hon. Gentleman pursues this system of secrecy in connection with alleged statistics this country and the House have every right to complain. I may be told that we Irish Members are very persistent in our questions. It has been constantly charged against us as a grievance that we ask so many questions, and that we pursue the Irish Minister so keenly. It must be recollected that we who represent four-fifths of the people of our country have no influence, direct or indirect, on the Executive Government of our country. To be a Nationalist means that a man is absolutely denied all influence on the Executive Government. It is only natural that an amount of friction should arise unknown to a nation like this. What is the philosophy and reason of the questions asked? Questions are the natural channel by which friction, which will arise in the freest nations, between the Executive and the people, is removed. In this country all minor cases of friction are adjusted peaceably in conversation between the Representatives of the constituents and the Ministers of the various Departments. We in Ireland have but one Minister, and that Minister represents but one-fifth of the people, and that one-fifth composed of an unpopular class. It is only natural, it is inevitable, that as long as you allow the Irish Members to appear in this House at all there should be evidence of friction, which is furnished by the number of questions we ask. Anyone who has considered the question in a broad and philosophic spirit will admit that one of the chief, if not the chief, functions of Members of this House is to act as links of connection between the Government and the people of the country. Now, after four years experience of the present system of administration, it is well we should take a survey of the general policy of the Government. The Chief Secretary boasted in the House yesterday, and he has boasted in the country on various occasions, of his great remedial measures, of the liberal policy which his Government has endeavoured to inaugurate in Ireland. I say that policy is a policy of bribery in regard to public works, a policy which has always been characteristic of Governments that were not free Governments. I know there was a certain amount of dissatisfaction amongst my Radical friends at the attitude of the Irish Members towards the Railway and Drainage Bills of the Government. Many Radicals thought we ought to have opposed those Bills. I have never maintained that very high level of public virtue. But I have never voted for such Bills without standing up and warning the House of the value of their action. I have never asked the Government to introduce such legislation, but I maintain that if the Government will persist in squandering these large sums, we, who represent very poor districts, are justified in voting with them. I noticed the other day that even the staunch and unbending Radicalism of the Liberal Representatives of London was not proof against similar considerations in regard to the subvention to the London Police. But while we in Ireland have accepted these grants of public money, we have not asked for them. We have warned the right hon. Gentleman, by referring to the failure, waste, and scandalous jobbery that have characterised these operations in the past, what will probably be their fate in the future. I have no doubt that, under the Light Railways Bill, railways will be constructed which will not pay for the grease for the wheels. I have no doubt jobbery will be rampant. I have no doubt the loyal minority are enthusiastic for the Light Railway schemes of the Government, because they know much of the expenditure will find its way into their pockets. Personally, I do not think you will get value for your money. I should be the last man to oppose a rational scheme of public works. We in Ireland need public works. We have needed them for long years, but I warn the right hon. Gentleman, and whoever may succeed him, that if you really want an economical and rational system of public works in a country like Ireland, you can only

have it under Local Government, a Government which will be responsible to the public opinion of the country. I come now to another portion of the policy of the right hon. Gentleman, the portion which I should like to describe as the Catholic University and the Rome Rule portion. It has been said against us, and used as an argument against our cause, and as against the establishment of an Irish Parliament, that an Irish Parliament would inevitably be a slave to the Pope, and subservient to Rome. I would like to know what Tory Member will now get up and use that argument. We shall hear no more about Rome Rule in Ireland, since the Government, finding their own efforts unavailing, invoked the aid of His Holiness the Pope of Rome, and appealed to religious prejudices to crush a national political movement. No more humiliating, more disgusting, political spectacle was ever exhibited in this generation than the right hon. Gentleman the Chief Secretary standing before a Manchester audience and rebuking the Catholics of Ireland for net showing sufficient deference to the head of their Church. We understand how to show that deference, but I can tell the right hon. Gentleman that I and my co-religionists are as independent of Rome, and of the agents of His Holiness, in all political matters, as any Nonconformist on these Benches. I can tell him that we are far more independent in political matters of the Court of Rome than he and his uncle, who have debased the character of Englishmen by crawling to the Pope, and offering bribes to His Holiness to aid in crushing the Catholic people of Ireland, and to inflict an intolerable wrong. To some extent it succeeded, when an agent was brought from Rome to go among the people, and to trade on their reverence for the Church to crush their political aspirations. I do not think we shall hear much more of Rome Rule in Ireland, not even from the hon. Member for North Armagh, for I am told that at a meeting of an Orange Lodge a cheer was raised for Monsignor Persico and his Mission. A strange idea seems to have hovered in the mind of the Chief Secretary that he could buy the assistance of the Court of Rome, that when he found himself "driven to the ropes" he could come forward and offer to the people of Ireland a Catholic University. The right hon. Gentleman evidently thought that, by an alliance with certain Bishops and Monsignor Persico, he would be able to bribe the Irish people from their desire for liberty by offering us the long delayed measure of justice to the requirements of Catholic education. I tell the right hon. Gentleman we scorn his offer, and I never felt more confident that I speak the feeling of the Irish race, of Irish Catholic people throughout the world, when I tell him that we will not allow his Catholic University, or his promise, meant to deceive and corrupt certain Irish Bishops, we will not allow his promise to intervene for an hour between us and the goal upon which we have set our hopes, or allow him to use this to sow discord between us and English Radicals, now our fast and sworn friends. We scorn his offer; we want not a Catholic University, but liberty to regulate our own Irish affairs. We have been denied this justice for two generations; we can afford to wait for our University until we have Home Rule. When we have our own Parliament we shall have our University, but we have waited so long we can still wait for a year or two. By his promise and his intrigues the right hon. Gentleman has succeeded in capturing two Bishops for the support of the detestable policy he is pursuing in Ireland. The right rev. Dr. O'Dwyer, Bishop of Limerick, has gone so far as to write one of the most infamous, cowardly, dastardly letters ever penned by ecclesiastical hand, and he does this as the servant of the Government of Ireland. I am not afraid, although I am an Irish Catholic, to characterise in its true terms that letter, which appeared in the Press of Ireland on the same day that a number of wretched people were evicted.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I rise to order. The hon. Gentleman may attack me; that is germane to the Vote. But in attacking an Irish Bishop, who has nothing whatever to do with it, the hon. Member appears to me to be travelling beyond the Vote, though his remarks would, no doubt, be appropriate if the salary of the Irish Bishop were under consideration.

THE CHAIRMAN: No doubt if the hon. Gentleman went on to attack in detail the action of the Bishop it would be irregular. But I understood him to attribute the Bishop's action as being possibly inspired by the right hon. Gentleman.

MR. DILLON: The right hon. Gentleman springs from his seat to defend Dr. O'Dwyer——

MR. A. J. BALFOUR: I cannot allow that statement to pass. I sprang from my seat because I thought—wrongly as it now appears—that the hon. Member was travelling beyond the Vote. I did not intend to defend the Bishop.

MR. DILLON: I will say nothing more on that subject. But I am glad to see the Tory Party so enthusiastic in support of the Bishop. He has done his best for their policy in Ireland, but his worst for the Church in Ireland. I am exceedingly glad that he stands alone among the episcopate of Ireland in his scandalous line of conduct. But I dismiss that. I ask the Committee what progress has been made in solving the Irish question? The right hon. Gentleman tells us he has inaugurated all kinds of liberal schemes of Irish policy. Well, I may be pardoned if I hold the faith I have always held that the people of the country are the best judges of what is for their benefit. If he and his uncle have been such benefactors, what kind of a people must they be who live in Ireland, since he cannot get one single vote from the three southern provinces or the western half of Ulster? For four years he has had arbitrary rule, and though he claims to have exercised it so beneficently that the country overflows with prosperity, yet the people continue to vote steadily against him. I think we may now ask, after this trial of his policy, Where is it going to end? Where is it going to stop? We see the consequences of all his coercion and strong Government. He has ruled Ireland now for four years, he has had from this House all that he asked for in the nature of strong legislation, he has had a free hand in the administration of Ireland, and I maintain that the right hon. Gentleman has produced absolutely no result in reconciling the people to his Government. On the contrary, politically, the Government is weaker in Ireland to-day than it was when the right hon. Gentleman accepted the post of Chief Secretary. It cannot be denied. Anyone can see that if two policemen are placed by the side of a Nationalist the expression of that man's Nationalist opinions may be prevented. And this is the great triumph of the Government. It cannot be pretended that the system of intimidation the right hon. Gentleman professes to be so anxious to restrain extends even to the vote at the polls. We heard from the hon. Member for South Tyrone, the official supporter of the Government, in a speech that unhappily was cut short, that over the greater part of Ireland absolute peace and contentedness reigns, and that there never were more friendly relations between the police and the people. Then I say in any of those districts where peace and contentment reign, where the people and the police are fraternising, where the people are reaping the golden benefit of your beneficent rule, start a Government candidate against one of our Party. There is not a man on these Benches who would not willingly vacate his seat to-morrow if the right hon. Gentleman would give us the satisfaction of contesting the seat. I represent one of the poorest districts in Ireland, where it is probable the Light Railway policy of the Government should attract support; let the right hon. Gentleman send a man there to stand on the Light Railway platform, and I will stand on none; I will remain in England and never open my mouth during the contest, and let him see what would be the result. That is a fair test. You profess, in your speeches, that your object is to make Ireland contented to remain, as you say, an integral part of the United Kingdom, and you claim success. Then, I say, put it to the test and see if you have reached the people. The right hon. Gentleman has indeed succeeded in elaborating a hitherto unheard-of system of police persecution and *espionage*. The right hon. Gentleman talks most glibly of Irish social matters, and recently spoke about an auctioneer at fairs. For my own part, I never knew it was the custom of Irishmen to sell cattle by auction. The right hon. Gentleman has never addressed an open-air meeting in Ireland, except on one occasion, when he sallied forth into

the Phœnix Park and addressed the Royal Irish Constabulary. He addressed them as if they were a body of troops encamped in the Soudan, surrounded by dangers and savages, and praised them for their extraordinary courage. That is the only case which I remember when the right hon. Gentleman had the courage to address Irishmen, though it is true that about 18 months ago he addressed a meeting of the wealth and fashion of Dublin, backed up by the presence of the Government officials, in the "Antient Concert" room. But the rank and fashion of Dublin were careful that their names should not appear in the Press, and the right hon. Gentleman addressed his audience *in camera*. Such is the Government under which the people of Ireland have to suffer. They are governed by a man who knows nothing of the circumstances of the country, who utters gibes against the Irish people, and who never allows any consideration of after consequences to check him in sneering at, and insulting, the Irish nation. He must be a bold man indeed who would say that the Government of the right hon. Gentleman has been a success. In one respect, and one only, his policy may be said to have been a success—namely, that he has become the hero of the bitter high Tory, anti-Irish faction of the country. In conclusion, I may mention an amusing incident as an illustration of the high-water mark of the popularity to which the right hon. Gentleman has attained in Ireland. A few days since a poor man was charged at Castletown Roche Petty Sessions, in the County of Cork, with being drunk and disorderly. The Resident Magistrate asked the constable how the man was disorderly, and the witness replied that the man "was driving a donkey and cart and was abusing the animal by calling him Balfour." Immediately the Magistrate imposed on the man a fine of 5s. and costs. There is a moral in this ludicrous incident, because, if we look aside from its absurdity, it shows that the name of Balfour is the worst term of opprobrium that can be used in Ireland, and because it is, at the same time, an evidence of the appreciation entertained for the right hon. Gentleman's policy in Ireland.

(5.20.) MR. A. J. BALFOUR: There are two complaints brought against me by the hon. Gentleman, which I confess I was surprised to hear from him, one that I make too few speeches; the other, that I am not popular in Ireland. With regard to the speeches I have made at Dublin or elsewhere, I can assure the hon. Gentleman that, so far from desiring to stump the country, I should be very glad if I could cut down the disagreeable task of making speeches in Ireland and elsewhere, to even smaller proportions than at present. Then as to my want of popularity in the South and West of Ireland, and the comment it affords on our policy, I do not know that the hon. Gentleman and his Colleagues, who have great influence in these parts of the country, have done their best by speeches and by articles in the newspapers to increase that popularity. On the very day on which I was appointed Chief Secretary for Ireland, unless I am greatly mistaken, the *Freeman's Journal*, *United Ireland*, and other journals of similar complexion, immediately, without warning or experience, transferred to me every one of the epithets with which they had been plastering my predecessors, and when the Committee recollect that the sole estimate which the Irish people are allowed to have of the policy of the Government, and of my personality, is derived from such speeches and newspapers, they will not be surprised that in some parts of Ireland I may not be as popular a man as the hon. Member for East Mayo. After the remarks I have already made on this Vote it will not be necessary for me to traverse the whole of the speech of the hon. Gentleman, but there are one or two points in his speech which I think should not be passed over. One of the chief objections he urged against the Government was that they were in the habit of resting their case upon what he called "cooked statistics." Though he was good enough to say that I was not personally responsible for the cooking, he gave the House to understand that he did believe that whenever political exigency required that a case should be made out for the Government all available machinery was set to work to cook statistics for the purpose. I need not say that a more baseless or more

absurd charge was never made in this House, even on Irish Estimates, where baseless and absurd charges seem the order of the day. The hon. Member backed up his general accusation by referring to what he called the monstrous statistics I had produced about boycotted farms. I do not know what statistics he alludes to, for I have refused to give such statistics. I cannot bear in mind all the speeches I have made, but I do not believe I have myself given such statistics, though I cannot speak with confidence on the point. I have said, and I repeat, that the information which I have been careful to collect on this subject does prove that boycotted farms are now taken in Ireland, and in much larger numbers than they used to be. The hon. Gentleman asked why I do not give the names of persons boycotted. This is a very naïve request. The immediate result of announcing the names of persons boycotted would be, as the hon. Member knows, to increase the stringency of the persecution to which they are subjected. There are cases, no doubt, in which the sufferings of the boycotted person are already so great, in which the persecution is so complete and the man so cut off from union with his fellows, and from the necessaries of life in the neighbourhood in which he lives, that his name might be mentioned without risk of doing much additional harm, and I have frequently given names in such instances; but there are many other cases in which the boycotting is in process of relaxation, and to announce names in connection with these would only have the effect of renewing the persecution. The hon. Member, in order to show the inaccuracy of the boycotting statistics produced by the Government, referred to the case of a land agent heard in a Court of Law in Dublin recently. The land agent pretended to his employer that the labourers on the estate were being boycotted, and he fraudulently charged his employer with the expenses of procuring necessaries from a distance. This is conclusive proof that the land agent was a scoundrel; but what else it proves I do not know. How does it prove the statistics are wrong? The hon. Member says no doubt this was included in the list of boycotted persons. But this case does not necessarily invalidate the Returns, because a man might be boycotted or under police protection at one time, and not at another. As a matter of fact, this man had been boycotted and under police protection at one time; but boycotting had ceased, and police protection withdrawn, and the Returns counted before these fraudulent transactions of the land agent occurred. The most careful watch is kept over the Returns, and they are subjected to revision whenever boycotting is relaxed or ceases. The authorities responsible for the statistics are under the most stringent orders to criticise the Returns at relatively short intervals, to examine the condition of every boycotted person on the list, and, where necessary, to remove a name from the list, so that the House may have a correct view of the general position of boycotting in Ireland. So much for the accusations which the hon. Member has been good enough to bring against me. With regard to the violent denunciation he was good enough to bring against the Holy See and Monsignor Persico, I do not think it necessary to say anything. It is no business of mine to criticise the ultra-Orange speeches it may please hon. Gentlemen from time to time to deliver. The Government had nothing whatever to do with the Mission of Monsignor Persico; they were never approached or consulted on the subject, and if Monsignor Persico came, as I presume he did, to a conclusion which ultimately compelled the Pope, in obedience to the dictates of morality, to condemn the Plan of Campaign and boycotting, it certainly did not depend in any way on the action of Her Majesty's Government. The hon. Member then went on to discuss the policy of the Government with regard to public works in Ireland. He was good enough to say that I was in the habit of weeping crocodile tears—and I observe that that is a favourite metaphor of the hon. Member—over the fate of any emergency man who might fall a victim to the fury of hon. Members opposite, while I had no heart for the sufferings of the Irish people; and then he denounced the general policy of the Board of Works, and, therefore, of the Government. He told us, so far as I could make out, that the money would be wasted and would not benefit the people on whom it was expended, that it came from the taxpayers

of the country, and that, even where executed, the works would do no good for the population they were intended to benefit; and he concluded with the amazing statement that in spite of all these considerations his virtue was not equal to resisting the bribe.

MR. DILLON: It is not fair to say that. What I did say was that there was no doubt that there was great waste, and that the works were not in the proper place, but that I represented a very poor district, and that some of the money would find its way into the pockets of my constituents.

MR. A. J. BALFOUR: I quite accept the hon. Member's statement, but I think that his original version was a good deal more powerful. He, therefore, does admit that the policy of the public works of the Government is, at all events, one that might benefit his poor constituents. That is the first admission in favour of the policy of the Government that I have ever been able to extract from hon. Members opposite. The hon. Member thinks that some policy of public works is desirable, but not under the present *régime*. He thinks that when the good time comes, when Ireland is blessed with a Home Rule Parliament, then, and then for the first time, money will be plentiful in Ireland; that then, for the first time, it will be possible for the Government to borrow at a cheap rate; and that then, for the first time, jobbery will vanish from Irish shores. I confess that if the rosy view which the hon. Member takes were in any way justified I should find some of my strongest objections to Home Rule, from the point of view of Ireland, would be removed; but I am afraid that the hon. Member will find that the money he is going to borrow will be at the moderate rate of 5 or 6 per cent., and he will find by painful experience that if there be jobbery in the Government of the United Kingdom, that jobbery will sink into insignificance beside the jobbery which will take place when a Parliament is sitting in College Green. Then I was asked by the hon. Member to point out what evidence there was of the success of Her Majesty's Government, and he said that it was a proof that we had no success, that if any Member on those Benches were to resign his seat it would not be contested by any one holding the views of the present Government. The hon. Member appears to be of opinion that the whole policy of Her Majesty's Government is to make an electoral conversion of the provinces of Connaught, Leinster, and Munster. Of course, I should be extremely glad were I able to sway the electoral districts in Ireland, and to persuade the electors that their duty was to give a loyal support to the Constitution of this country, as it at present exists. But I never anticipated for a moment that I would be able to convert in the course of a few years the political convictions of those gentlemen. Is that a proof that Her Majesty's Government has failed in its efforts? I entirely fail to grasp that argument. The policy we have endeavoured to pursue is a twofold policy. In the first place, it is a policy of endeavouring to support the minority in Ireland, who are attacked in their just rights, from plunder and spoliation, a minority not consisting in the main of the landlord class—though even an Irish landlord has his rights—but a minority—I admit, if you like, a small minority—consisting of the peasantry of those three provinces, who most undoubtedly, by the admission of hon. Members themselves, have been the victims of the most cruel and brutal oppressions in history. That is the first task we have in view. The hon. Member for East Mayo, who has behind him the organisation of which he is a leading member, has very little reason to congratulate himself on its results. The state of Ireland is not all that it should be, but it is far better than it was when we came into office, and as far as that branch of the policy of Her Majesty's Government is concerned, I claim now, as I have claimed before, that it has met with success. The second branch of the policy of Her Majesty's Government is that of ameliorating the material condition of the people of Ireland. In carrying out that policy, also, we have made great progress. It is true that every effort we have made has been hampered either by hon. Members themselves or by their Radical allies. The whole power that the Rules of this House give to a minority have been used to make it difficult for Her Majesty's Government to carry out that policy; but I have the satisfaction of reflecting that no inconsiderable

portion of it has been carried out, and as regards the remainder, important proposals are now before the House and the country, and before many months they will be carried to a successful issue. When that time comes hon. Members opposite may use what arguments they please, and may give what version seems best to them of the recent history of Ireland, but three facts will stand out in plain relief. It will be obvious to all men that we have been able to vindicate the law and to protect the weak against the strong; it will be obvious to all men that we have done more than any previous Government, whether it was before the Union or subsequent to the Union, to improve the material prosperity of the poorest people in the West and South-West of Ireland; and, further, it will be seen that we have made the largest contribution towards the settlement of that perennial source of difficulty in Ireland, the land question, than was ever attempted or even dreamed of by Irish reformers in the past.

(5.42.) MR. T. P. O'CONNOR (Liverpool, Scotland): I suppose it is the entire breakdown of this bankrupt Session that has given the right hon. Gentleman's eloquence such a monumental turn. This is the second time in the course of the Debate on this Vote that the right hon. Gentleman has pronounced an elaborate epitaph on his own administration. He was in a melting, lachrymose mood last night, and we then thought that on the morrow he would be more cheerful; but this evening in almost the same terms, although at somewhat greater length, the right hon. Gentleman has for the second time engraven the inscription on his early tomb. I am not at all surprised at the right hon. Gentleman being in this mood. Not even the satisfaction of seeing the Chancellor of the Exchequer in trouble, which for a few days seemed to keep up his spirits, has sufficed to keep the right hon. Gentleman out of the melting mood. Of course, we can understand why in his statement he disclaimed any idea of his policy leading to the electoral conversion of the people of Ireland. I can assure him that he may console himself with the reflection it has largely led to the electoral conversion of England. I am sometimes a little doubtful as to whether it is to him or to the Chancellor of the Exchequer that we ought to be most grateful, but, on the whole, I think it is to the Chief Secretary we are most obliged, because of the universal disgust and detestation which his policy has excited in Ireland, in Scotland, and in Wales, a policy which will meet with overwhelming condemnation at the next General Election. The right hon. Gentleman laughs at that; but if he is so confident of success at the next Election, why is he always pronouncing funereal orations? Now, the right hon. Gentleman has misrepresented the speech of my hon. Friend. My hon. Friend did not complain that the right hon. Gentleman made too few speeches. The complaint was that he made too few speeches in Ireland. So far as England is concerned, and so far as this House is concerned, the more speeches the right hon. Gentleman makes the better pleased we shall be; for I do not remember a single speech delivered by him which has not driven a nail into the coffin of his policy. With the somewhat doubtful exception of his uncle, the Prime Minister, I do not know any man whose orations are more useful to his foes and more prejudicial to his friends. I do not know any man whose statements have been so frequently and so clearly disproved than those of the right hon. Gentleman. What defence has he now set up? The right hon. Gentleman says he is blamed for giving answers from official sources, which all Ministers have to do. That is quite true in one sense, but the right hon. Gentleman has been the first Minister who, when a charge is made against an official, thinks the reply of that official should be accepted, even against the statements of Members of this House, who were eye-witnesses of the occurrences in question. I say the adoption of such a policy is most scandalous and outrageous, and one which even no Minister of the Czar of Russia would dare to adopt. I need not weary the House with details. We cannot forget that at Mitchelstown three lives were lost, and the word of an official was sufficient to prevent the trial of the persons responsible for the deaths. The same thing occurred at Tipperary, and again there was no inquiry. My hon. Friend here was at a meeting in Ireland and saw policemen charge and savagely assault unarmed people, and yet the

right hon. Gentleman, on the information supplied to him by the officials, denied that any such events had taken place. Again, when the people lit a bonfire in celebration of the marriage of one of their most trusted leaders, they were batoned by the police, and the explanation of the right hon. Gentleman was, this was done because the crowd were causing an obstruction, which is a mockery as every one knows who is aware of the solitude, desolation, and ruin of Irish towns, thanks to the misgovernment of the right hon. Gentleman. Why does the right hon. Gentleman refuse inquiry into these matters? He does it in pursuance of a deliberate policy. If an official feels that whatever offence he commits he will be defended by a Minister in Parliament, by the money of the Executive in a Court of Law, and that, if necessary, the jury who try him will be packed to secure his acquittal, that official becomes as irresponsible as if there were no law, no Courts, and no Parliament. The natural result is that the police in Ireland have been demoralised and brutalised as has never been the case before. For days together they are in a state of chronic intoxication. They are given as free a range as if they were soldiers permitted to sack an enemy's country. The right hon. Gentleman must intend all that. His sinister and futile hope is that the people can be coerced into tame submission to the authorities and the abandonment of their political convictions. The right hon. Gentleman declares that that is the policy of the civilised world, and that it will have to be adopted by the Government who follow him. We can plainly gather from the right hon. Gentleman what is the character of the Government which he thinks will succeed him. Men who expect to live long do not compose their own epitaphs. The right hon. Gentleman tells us that the next Government will have to adopt his policy. He justifies that statement by saying that the Plan of Campaign exists in certain parts of Ireland, and that the Plan of Campaign is an illegal conspiracy. Within 24 hours of the accession of a Liberal Government, the Plan of Campaign will have disappeared into thin air. There will be no further need for it. The emergency men will have gone about their business in Belfast, and will be trying to enlist in the Army which at that moment the hon. and gallant Member for North Armagh will be endeavouring to raise in order to man the last ditches. The landlords of Ireland will then, not for the first time, curse the sinister counsels of their friends and patrons in England, and Ireland, too, because they will have no choice but to accept the reasonable and just terms of their tenants. I hope the tenants will ask no more. An hon. and learned Member opposite (the Member for Harrow) laughs at that; but let me remind him that when a few months since the Land Purchase Bill was before the House, he went about the country declaring that slavish greed was not a characteristic of the Irish tenants. What will happen when a Liberal Government comes in power? We shall have a Bill passed in this House, a simple measure, probably of not more than one clause, which will not require any of the hanging-up machinery of which we hear so much, to get it through. We shall pass it; and if the House of Lords is inclined to reject it, we shall bring a little pressure to bear on that illustrious Assembly, after the example of the right hon. Gentleman opposite, and bring them to their senses. The right hon. Gentleman the Chief Secretary could himself have put an end to the Plan of Campaign at any period during the past four years had he been so inclined. If the right hon. Gentleman had but a little more perception of facts, and a little less of that priggish dogmatism that belong to him, he would have dealt with the question of arrears of the tenant farmers of Ireland by inserting a clause in his Bill to that effect. A couple of lines would have been sufficient; and in this way he would have relieved the farmers of much of their difficulties, and the Plan of Campaign would have come to an end within 24 hours. As a result of that, the farmers would have had more money put into their pockets, and the right hon. Gentleman would have avoided all the disturbances which have arisen from his policy. There would have been no necessity for the Mitchelstown affair; no necessity for Bodyke; John Mandeville would not have been done to death; and the right hon. Gentleman would have been saved from pursuing his course of

callousness and cowardice, which has so disgusted every man of sense and feeling. Has the right hon. Gentleman's policy made the people more contented? No. I tremble to think what the people would have done if it had not been for the fact that they share the convictions of the right hon. Gentleman himself, that his administration is on its last legs, and that between their final emancipation and the present there stands nothing but a single discredited and bankrupt Ministry. Were it not for these hopes; were it not for the hopes reposed in the policy of the right hon. Gentleman the Member for Mid Lothian, and in the action of the Liberal Party, I believe that the people of Ireland would have long since ceased to listen to the tranquillising councils of their leaders, and that there would have grown up again in Ireland, against their advice, those dark and sinister associations that have played such an important part in the history of the past. But the Irish people know that their day of deliverance is at hand. They know that the right hon. Gentleman has no delusion on the question. His friends may prepare their wreaths of laurels, but all his thoughts are of cypress. His friends may prepare their testaments of praise, but the right hon. Gentleman is writing his own epitaph in language so characteristic of his rule, that when it comes to be inscribed upon the tomb of his administration, it will add new force to the old saying, "As lying as an epitaph."

*(6.5.) MR. WEBB (Waterford, W.): It has been complained against us that we have kept up this Debate upon lines too narrow—that on such an important question as the Chief Secretary's salary, in which his policy and his government of Ireland properly come up for consideration—a policy and a government that are interesting the whole world—we descend too much to particulars. But particulars are the very essence of the situation, and whilst in the few words I have to say, I would desire to treat the question broadly, I cannot hope, nor do I desire, to avoid particulars altogether. It has been my rule in political life to endeavour to think well of my opponents—it is pleasanter to feel that one is contending with honest, though mistaken, adversaries than with dishonest men or men that are intentionally malevolent. But certainly I never found the task so difficult as in the case of the right hon. Gentleman. Courtesy, and a desire to conciliate rather than exasperate, should be the characteristics of a man who seeks to govern: these qualities appear to me entirely wanting in the bearing of the right hon. Gentleman towards us. We cannot but see irresponsible rule in its most hateful garb; we cannot but feel, down to our very finger tips, that he and his supporters scorn and dispise us and those we represent. In the two special instances that claimed our attention last night—the acknowledged firing by the police into an unarmed and inoffensive crowd, and the escape from trial of a member of the Royal Irish Constabulary who had committed a felony—a class of cases with which we are, alas! too familiar in Ireland—did one word of sympathy or one gesture of assurance that justice would be done escape the right hon. Gentleman. And that is his bearing all through—a bearing that might pass with the representatives of a powerful and a happy people, but which cuts us to the quick and rouses in us and sustains a determination never to submit to a continuance of his rule. The right hon. Gentleman last night asked how it was that we were not able to imitate his stoical indifference—his philosophic coolness in Debate; as well might the man who applies the thumb-screw ask his victim why he does not imitate his demeanour. We are weak and powerless; he wields all the Forces of the Empire; he inspires the Executive; nay, we believe the Bench is not free from his influence; and as for the Magistracy, which should stand indifferent between people and Crown—they are the instruments of his will. It is idle to ask us to remain calm in the face of the injustice and the indignities to which he subjects our people. He is reported to have written on a recent occasion that we

> "Form a Political Party violent in their designs to the verge of treason, unscrupulous in their methods beyond the limits of legality";

a Party whose eloquence, energy, and determination

> "Have been steadily and unswervingly employed, not for the purpose of settling the political controversy on a permanent basis, but for the purpose of embittering it in the interests of a political revolution."

We are not violent beyond the measure of our necessities. We have gone no nearer the verge of treason than many a Political Party in this country within the present century. Our methods have been the only methods through which reform and peace with Great Britain were procurable. Our eloquence (an eloquence in which I can claim no part), our energy and determination have been steadily and unswervingly employed to settle on a permanent basis a great and once apparently hopeless political controversy in which the very existence of our people was at stake. If it has been embittered, the fault does not lie at our door, but at the door of those who, in stupid blindness, for their own supposed interests, have step by step opposed reform in Ireland, and at the door of the right hon. Gentleman, who fitly sums up in his bearing and his policy their ideas of progress and of freedom. We are told that Ireland is peaceful and prosperous. Our peace is not the peace of subjection and despair; it is the peace of vitality and hope—peace the outcome of the sacrifices and the struggles of this Party which he so much condemns, and of the statesmanship, wisdom, and highest Christianity of the right hon. Member for Mid Lothian and the Party he leads. I believe Ireland is tolerably prosperous at present. In this belief I differ from some of my friends. This prosperity is due in no degree to the policy of the right hon. Gentleman. It is the result of the security against eviction and raising of rents—of the large sums of money that are now in the pockets of the tenants, and that were formerly unjustly in the coffers of the landlords—it is the result of that political revolution, of that partial settlement of the land question that the right hon. Gentleman so bitterly condemns. But, after all, it is the prosperity of the Second Empire in France, of Italy under Austria, of the Southern States under Slavery, of Russia—it is not such progress as would be under really free institutions such as we shall have. An hon. and gallant Gentleman asked if Belfast was not prosperous. I rejoice in the prosperity of Belfast. We are as proud of Belfast as you of the South of England are of Manchester and of Leeds. The turn of the spindles in her mills is sweet in our ears; we are as proud of the ships turned out of her yards as you here are of the vessels run off the stocks on the Tyne or the Clyde. The progress of Belfast is largely due to the suitability of the North for the growth of flax—to the encouragement of its manufacture by the people and Ministry of this country; whilst, on the other hand, they discouraged and suppressed the production and manufacture of wool, which were suited to the other parts of Ireland. It is due to the manner in which Protestants were encouraged and petted, the Catholics persecuted and depressed—a policy not yet altogether abandoned. It is, I believe, mainly due to the political content that reigns there. They have had it all their own way, and they are satisfied—just as we over the rest of Ireland will be satisfied when we have it our own way—only that the liberty we aim at is liberty for Protestant and Catholic for North and South alike, not for Protestants at the expense of Catholics or of the North at the expense of the South. You can bring forward no proof that the government and administration of the right hon. Gentleman is not loathed and detested as no government was ever so loathed and detested in Ireland. He himself admits its failure—four years ago we were promised peace in 20 years—it is now relegated to the days of our grandchildren. In my experience Irish Protestants are, as never before in my time, day by day ranging themselves on the side of their Catholic fellow-countrymen. The old naturally hold back, clinging to the false traditions in which they were reared; but the younger generation, largely influenced by disgust at the policy of the right hon. Gentleman and by the sacrifices and utterances of the Irish Party, are taking a better part. The Protestant trading class is honeycombed with detestation of his policy—thousands of its members are blinded by petty and by false and mistaken considerations to the duty of openly expressing their real opinions. Talk of boycotting—of depriving men of their means of support because of their opinions—there has seldom been a more complete boycott than under the possibility of which those live who in any way depend upon the official and attending classes in Ireland. The Govern-

ment, the right hon. Gentleman, and his friends are deluded as to the real feelings of the Irish people by the overgrown and rapacious official class in Ireland, the outcome of the false system he represents and controls. It inspires a Press; it stands as a veil between him and the Irish people. Even if he would he could not do justice and act lightly. And even this official class is permeated with dislike of his rule. Amongst them nobler and more generous feelings are springing up. We at this side of the House have constant opportunities of realising this fact. The right hon. Gentleman has not one qualification for the *rôle* he has assumed, for the position in which he has been placed, and for which he now seeks to be paid. He knows nothing of our country, of its traditions, or of the feelings of our people. He does not I am sure make one-tenth the effort to identify himself with it as do the German Governors of Alsace and Lorraine to identify themselves with and understand those they rule. Did he ever consult the representatives or public opinion of the country? Did he ever adopt their proposals? Did he ever consider their united opposition sufficient ground for questioning the wisdom of his own schemes? All he can do is to propose abortive petty measures for light railways and for draining which seldom mature, and, when they do, effect little or nothing. I suppose he is welcome to pour his thousands into Ireland—in my mind it is a demoralising and an enervating system. After all, he will effect nothing. Paralysed by the system he seeks to administer, he is unable to take a step in advance or to remove the rottenest stones out of the edifice he seeks to support. He must, in his heart of hearts, admit that the Irish Question is the latent cause of the paralysis that has overtaken the course of public business in this House—a House whose traditions are so glorious, and whose power of usefulness and of blessing to the human race will be well-nigh boundless when it has for ever abandoned the impossible attempt to crush out the spirit and the aspirations of the Irish people. Gentlemen opposite admit all this, and yet they are unable or unwilling to set about reform even upon their own lines. Their only policy is coercion and suppression. It is amazing how this policy can be supported by so many great and good men and women in and out of Ireland—but so have bad policies in all times and all over the world been supported by the great and good. I was reared in the contest with the most hateful and diabolical system the world ever saw—the system of American slavery. Up to the last that system had the support of culture and refinement in the United States and in this country. It crumbled to its fall, and no one now seeks to defend it. My later years have brought me the unspeakable privilege of being permitted to take part in a contest for Irish liberty and Irish freedom. That cause will triumph, and when it has triumphed no one will be found to attempt to justify the policy of the right hon. Gentleman. Summed up in a few words, that policy is one than which no more criminal can be conceived. The murder of an individual is bad enough. But what are we to say to the attempt to strangle and to murder the God-given spirit and the feeling of a nation—that spirit and those feelings through which alone we can attain real prosperity, and through which alone these Kingdoms can be really, and in fact, united. A new renaissance is spreading over the world. In mental and physical training, in all the essentials upon which progress depends, the peoples are making a fresh start forward. In the last century, when it was of vital importance that all should be free to take part in a great industrial awakening, we were bound hand and foot—the crime is now admitted. A greater awakening has now come upon the world, and were the policy of degradation which this Vote is asked to support to be continued, future generations would have in vain to deplore a more miserable failure and a more heinous crime against our people.

(6.26.) MR. PARNELL (Cork): I do not think, Sir, that I ever recollect a time when the discussion of the Constabulary Vote and the discussion of the present Vote have presented so many objects of interest and attention, and have necessitated the expenditure of so much of the time of Parliament. That one fact, taken by itself, shows, I think, very great discontent, not only upon the part of the

Irish Representatives, but also upon the part of their constituencies, with regard to the administration of the law by the right hon. Gentleman. Now, Sir, that administration of the law has been described by my hon. Friends, and grave and weighty criticisms have been advanced against it; but to effectually demonstrate to the House the iniquity of that administration, and the hardships from which the every-day people in Ireland suffer, owing to that administration, we should require their tongues—we should require to know their experience; and it would be necessary that they should stand at the Bar of this House and personally impeach the right hon. Gentleman and his agents in Ireland for the sufferings that they have inflicted upon them. We can only faintly tell—we can only imperfectly depict the depth of all the suffering that is going on in Ireland. I am sometimes almost tempted to believe even that the right hon. Gentleman himself has neither the time nor the inclination to fathom the result of his own action. If it were possible for him personally to investigate these matters—I do not say it is possible—I think he would hardly have the conscience to stand up in the House and defend the actions of his agents, and represent the reports of his policemen as true. The right hon. Gentleman is hard at work during most of the Session answering the questions of Irish Members regarding his administration, and during the winter months, probably his choice and his health do not encourage him to encounter the rigours of the Irish climate in pursuit of that information of which he stands so much in need. It has come to pass that we are left in this unsatisfactory position. We are, as it were, beating the air. We cannot, owing to the want of information, efficiently place before the House the position of the Irish people who are suffering from what is being done by the agents of the Government in that country. And although the right hon. Gentleman may not be so very much to blame under the circumstances I have endeavoured to describe, yet he is to blame to some extent, because he has relied with implicit confidence from the time he entered upon his present office until now on the representations made to him and the advice given to him by the effete and rotten permanent officials of Dublin Castle. His initial mistake was made in 1886, when he declined to carry out the remedial legislation necessary to deal with the agrarian crisis. The right hon. Gentleman in 1887 took the responsibility of delaying remedial legislation in order to press on an abominable and cruel Coercion Act. In this way he set on foot the commotion and disturbance which undoubtedly, owing to what I regard as the folly of the right hon. Gentleman, will outlast his time, and will certainly prevent his administration from attaining that measure of success which might, under different circumstances, be possible for a Chief Secretary to achieve. The Plan of Campaign was started because of the failure of the Government to introduce legislation to deal fairly and justly between landlord and tenant in Ireland. I do not, and never have, concealed my views with regard to the Plan of Campaign. At its outset I saw my hon. Friend the Member for North-East Cork, and told him that I thought the Plan of Campaign ought to be limited to those estates on which it had already been started. He represented to me that if the combination were general the movement would be so strong that the Government and the landlords would be altogether unable to cope with it, but that if it was limited, as I suggested, the result might be that the tenants would be sacrificed. I could not help admitting that there was a good deal of force in what my hon. Friend said, but I still felt justified in pressing upon my hon. Friends the desirability of limiting this movement as much as possible. They assented to my expressed wish, and did not push it beyond those estates on which it had up to that time been started. But my friends tell me now that my predictions have come true, and that while we, on the one hand, have limited the movement to that small number of estates, those who have been shut out are pursued by a combination of the Government and the landlords with a hatred and a relentness vindictiveness which are even for them extraordinary. I may have been wrong in the position I took up, but I thought it better that a small number of tenants should suffer or be sacrificed rather than that there should be the terrible evil of a general agrarian

struggle. I cannot here too strongly condemn the fatuous conduct of the Government in not having yielded to the pressure brought upon them that these Plan of Campaign estates should be allowed to share in the Act of 1887. There were only 10 or 12 of these estates, and on the Coolgreany and Ponsonby estates the tenants consisted mainly of leaseholders. These tenants were deprived of the benefits of the Land Act, but their struggle was recognised or sanctioned by the Act of 1887, which admitted leaseholders to the benefit of the Act of 1881. The right hon. Gentleman, acting under the advice of the partisan permanent officials, who urged the right hon. Gentleman against all surrender, has, owing to the strife on these estates, been deprived of even that small modicum of success in his administration which is all that a Chief Secretary under the present system can secure. He has been told that the British Government is not strong enough to surrender these 10 or 12 estates; that he must not give way in regard to them. That is the policy of the right hon. Gentleman. I, at any rate, do not think it is statesmanship. I would ask the right hon. Gentleman, even at the eleventh hour, whether he cannot utilise the remaining weeks of the Session to bring forward some plan by which the strife on these estates might be terminated, and by which the tenants on these estates might take their share in the benefits that the Legislature intended for them. After the experience of the successful arbitration in reference to one of these estates carried out by the hon. and learned Member for Hackney (Sir C. Russell), it ought not to be difficult to frame a measure which would pass through the House without difficulty or opposition, and which would provide for an inquiry and a fair settlement of the dispute on each of these estates. Of course, if the right hon. Gentleman is determined to pursue these tenants to the bitter end, he may do so. I may say that I have not discussed the suggestion I have made with any of my hon. Friends, and let it not be supposed that my suggestion is any sign of weakness. These tenants will be protected, and effectually protected, to the end. If it takes 50 years before the means and methods of the present Government are removed, these people shall not suffer. Money will be found for securing that they shall not suffer. But I make the suggestion in the interest of peace and humanity and justice, and not in the interests of the pockets of the landlords. I daresay that my hon. Friends would prefer to fight it out, and are careless as to whether the suggestion I make is accepted. I have myself little doubt that my suggestion will have been made in vain, but I shall have the satisfaction of knowing that I have made it, and that the responsibility will not rest on me. Let me now turn from the Plan of Campaign to a consideration of the programme of the Government with regard to next Session. We had an important announcement made to us yesterday by the Leader of the House. It is not the intention of Her Majesty's Government, it appears, to persevere with the Irish Land Purchase Bill this Session. This Bill is dead, and it is the intention of the Government, we are told, to re-introduce it next November, or early in the coming year, and press it through. I endeavoured at an earlier period of the Session to place some of my objections before the House, and I think the right hon. Gentleman will admit that I showed by the tone of my speech that I was not guided by any blind or unreasoning hostility to the Bill. I was anxious to make it a workable measure, in order to fulfil the object which it was introduced to carry out, and I say again now, and I trust the right hon. Gentleman will ponder what I say, that my anxiety is that these 33 millions of money shall be used to the best advantage for the purpose of settling as far as it can extend this land question, or the most difficult and pressing portion of this land question in Ireland. When, during the Second Reading of the measure, I suggested a method of fining down the rents, that method was not suggested as any great or original discovery, though I happened to be the first to discover and suggest it myself in the spring of 1881, when the Land Bill of that year was first introduced. But, of course, I shall prefer a solution by occupying ownership, and I did not advance the principle of fining down the rents as a better and more perfect way. I did not so advance it. I advanced it simply from the point of

view of economy, and in order to allow the limited amount of money available to be stretched as far as possible to do the greatest amount of good for the least amount of money. But if any objection is taken—and I am addressing myself particularly now to the right hon. Gentleman whose salary we are considering and in whose jurisdiction and upon whose responsibility the Land Bill of the coming year will be framed—if any objection is taken to the principle of fining down the rents on the ground that it is not an abolition of dual ownership, and that occupying ownership is preferable, I say I am entirely with that objection. By all means use this money for occupying ownership, but do so use it. Now, Sir, what is the situation? The Bill which the right hon. Gentleman has had framed by the advice of his subordinates will not carry out the objects you have in view. Your money will be to a large extent wasted and used for purposes for which it is not in the contemplation of Parliament that it should be used. Instead of enabling *bonâ fide* occupiers to become the owners of their holdings, much of it, if you proceed upon the lines laid down, will be used for the purpose of enabling large graziers in Connaught and other Irish provinces to become the owners of their holdings, and I do not believe that that is the wish of the people of this country or of this House. What I wish to suggest to the right hon. Gentleman is this, that he should occupy some of the Royal Irish Constabulary in the interval in obtaining Returns to this House as to the situation of the estates in Munster and in Connaught, and especially in Connaught, with regard to the amount of rent paid upon each estate by tenants living on their holdings, and by tenants not living on their holdings, and by tenants of the class of grazing tenants, who do not come under the operation of the Land Act of 1881, because they are of that class. I think he will find that the magnitude of the problem he has undertaken will be enormously reduced, and that, by means of the information obtained, he will be able to introduce alterations into the Bill which will enable the money to be provided by Parliament—the £33,000,000—to go very much further than he has any idea of at present. I believe, speaking in regard to the case of Connaught, that probably not more than one-fifth or one-sixth of the value of the land in that province need be purchased out at all for the purpose of establishing an occupying ownership. In the case of Munster, probably not more than one-half of the land of that province need be purchased. The case of Ulster is entirely different, because there, owing to the operation of the Ulster custom, the extensive clearances which have taken place in Connaught and in Munster have not been carried out. You have a province of medium and small occupying tenants who are well fitted to become the owners of their holdings, and where, undoubtedly, the money of the State, if spent with proper safeguards, and in accordance with local feelings and requirements, may be well and safely spent. But that does not apply to Connaught and Munster, and to some extent, though not at all to the same extent, that does not apply to Leinster. The advice I would respectfully give to the right hon. Gentleman would be to make his Department acquainted with the circumstances of Munster and Connaught during the coming autumn and winter before the re-introduction of his Land Bill. The Constabulary are well fitted to collect these Returns. They know the circumstances of all the different estates, and they already collect many Agricultural Returns which are of great value to us; and they can easily, with little addition to their ordinary duties, put the right hon. Gentleman and the House into full possession of the most important details with reference to these matters, with the result, I believe, that there will be great advantage to the State and great economy of money. Finally, I would entreat the Government to consider, in view of the fact that they propose to allocate large Imperial grants to Ireland for local purposes as a counter-guarantee to the sums to be advanced from the Imperial Treasury, whether some regard ought not to be paid to the principles of local control and local responsibility. It appears to me to be a bitter mockery to say that here are sums which are given to English Local Authorities to do what they please with, and that in the case of Ireland we should intercept these sums, should deprive the future Irish Local Authorities of all right to control

them, and should previously hypothecate them for the purpose of securing the British Treasury. That is a due regard to the British Treasury undoubtedly, but not a due regard to the principles of local self-Government for Ireland — principles on which the present Government have come into Office, and by their regard to which they will have to stand or fall at the next General Election. I, for one, can take no part in and can on no account agree to any hypothecation of local resources without the will and sanction of the Local Authorities. I do not believe that any danger or risk of whittling or obstructing the working of the Land Act will be likely by taking Local Authorities into your confidence. I do not think that for an instant. I would say, trust to these Local Authorities since you are going to set them up, and if you do not trust them do not set them up. It would be the height of foolishness at the first turn to assert of these Local Authorities, to whom you look for so much in the future government of Ireland, that you will not trust them to have their say whether these counter guarantees are to be given. These are the subjects which I have thought it right to put before the right hon. Gentleman for his consideration. I hope he will be able to pay some attention to them, and I hope he will be able to give immediate attention to the first suggestion I made with regard to the termination of this turmoil on these Plan of Campaign estates. I trust he will have an opportunity during the recess of paying further attention to the other matters which I have brought before him—matters which are well worthy of his attention, and matters which I believe, if attended to, will enormously facilitate the settlement of the Irish land question, and will reduce the sum necessary to be advanced by the Imperial Treasury to manageable proportions, and to an amount which will not terrify the taxpayers of this country.

(6.56.) Mr. A. J. BALFOUR (Manchester, E.): I think it is not necessary for me to make any reply to the hon. Gentleman, but I desire to express, on my own behalf, my sense of the moderation which has characterised the speech just delivered, and to say that any practical suggestion falling from the hon. Member will, of course, receive the respectful consideration of the Government. But I ought not to be understood as holding out the faintest hope of proceeding with a Land Bill in the remaining portion of the Session. I refer rather to the suggestion made with regard to the Land Bill being introduced at a very early date. I take it that I should be out of order in discussing the provisions of that Land Bill. The hon. Gentleman's particular position, and the place he holds in the councils of the Party of which he is the leader, no doubt may render it appropriate that he should, on the Chief Secretary's Vote, give some general view of his notion of the policy to be adopted in respect of the Bill which is in charge of the Chief Secretary. I presume that is the consideration, Mr. Courtney, which enabled the hon. Gentleman to be in order in making the observations he did. But I take it that I should be stretching your indulgence if I were to discuss with him at this moment the question of giving Local Authorities control over the expenditure of the sums to be lent by Parliament for the purchase of land in Ireland, or to express any opinion upon the suggestion that he has thrown out—a suggestion, in my opinion, very well worthy of attentive consideration—with regard to limiting the area, size, or character of the farms to which the principle of land purchase is to be applied. I did not rise to discuss the speech of the hon. Gentleman, but to express my own sense of the general moderation which characterised it, and to inform him and the Committee that practical suggestions, coming from those Benches, as from any other Benches, will always receive due consideration from this Bench.

Vote agreed to.

2. £1,457, to complete the sum for Charitable Donations and Bequests Office, Ireland.

Resolutions to be reported.

Motion made, and Question proposed,

"That a sum, not exceeding £102,602, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1891, for the salaries and expenses of the Local Government Board in Ireland, including various Grants in aid of Local Taxation."

(7.4.) COLONEL NOLAN (Galway): I should like to know from the Chancellor of the Exchequer what is the amount of money he proposes to allot this year to the different Poor Law Unions, and, as I have considerable experience in the administration of the Poor Law, perhaps I may tender to the right hon. Gentleman a little advice. There are now put on the Poor Rate an enormous number of charges that have no connection whatever with the Poor Law. For example, there is the expense of making out the voters' list, and expense of administering the Vaccination Acts. There are, at least, six or eight different charges now put on the Poor Law administration which I think ought to be put on the local rates. I draw a distinction in this way. When there is anything that a Local Body can possibly keep down, it is extremely proper it should be put on the rates. The interest of Local Bodies is entirely in the direction of keeping burdens down. But take the case of vaccination. A Poor Law Board have no authority to reduce the number of children born or vaccinated. We are absolutely helpless. When we perform our duty well we increase the rates. We have no possible means of keeping down the rates, and I say that is a burden which should be shifted entirely to the Imperial Exchequer. The expense of preparing the voters' lists, too, should be borne by the Imperial Exchequer. There are at least six charges which are in no way connected with the Poor Law which we have no authority whatever to reduce. I quite acknowledge that we can only expect a certain amount of assistance, and as the chairman of a Poor Law Union I am disposed to say the Chancellor of the Exchequer has assisted Poor Law Boards a good deal. But I think it would be well if he would look at this matter from the point of view I have set forth.

(7.10.) DR. TANNER (Cork Co., Mid): I propose to move to reduce the Vote in respect of the item of salaries. The amount asked is £23,391, being an increase of £65 upon the amount asked for last year. Of course, local government affairs in Ireland are despotically managed by the right hon. Gentleman who has just received his wages, and it is worthy of notice that though this year several Boards of Guardians have been disfranchised, there is an increase in the expenditure. I regret extremely that when Irish Members rises the Chief Secretary prefers to converse with the First Lord of the Treasury and the Chancellor of the Exchequer than to listen to what is said. We all recognise the constant discourtesy of the Chief Secretary to the Lord Lieutenant of Ireland.

THE CHAIRMAN: Order, order!

DR. TANNER: I am merely stating what is true. Whenever I try to bring a matter under the consideration of the Chief Secretary he tries to show his discourtesy in the worst possible way. However, we are getting accustomed to it, and we know we shall not have to endure it very much longer. Now, we ought to get some information respecting the various Boards of Guardians that have been done away with this year. I have the privilege, the great privilege, of belonging to the Cork Board of Guardians, one of the largest Poor Law Boards in the South of Ireland. It has suited the convenience, the will, and the pleasure of the Chief Secretary to do away with that Board. Why? Simply because I exposed the illegitimate conduct of a man who is illegitimate himself. Such Boards as those of Dungarvan and Cork should not be allowed to lapse without some very good reasons being assigned in the House of Commons. The circumstances of the Cork Board are very remarkable. So long as the Board happened to be Conservative, and confined themselves to passing resolutions of eulogy upon the Government of the day, they were not interfered with, but when the political complexion of the majority was changed owing to the political conversion of many of the *ex officio* Guardians, and the Board sought to pass resolutions conveying censure upon the administration in Ireland, the Government stepped in. Up to the year 1886, by reason of the predominance of the *ex officio* Guardians, the Conservatives had a majority on the Board of three or four. They accordingly always elected a Conservative chairman. But opinions began to change, and the old Tory Party thought they must make a new departure. Accordingly Mr. Henry L. Young was chosen to be run as a candidate for the chairmanship. Mr. Young was chosen be-

cause he was a colourless politician, though on many occasions he lent himself to the Tory Party. On one occasion I had the great pleasure of materially conducing to his defeat. On that occasion we succeeded in placing a democrat in the chair, a Mr. Michael Hearn, a tenant farmer. We had a few votes at first, but after a fortnight's fighting the opposition collapsed, just as the Orangemen in the North collapse. The following year, however, by dint of scraping together all their members, Mr. H. L. Young was appointed Chairman. The Conservative *ex officio* Guardians, who are always talking about what they do and can do for the poor people in the South of Ireland, having once established Mr. Young in the chair, left him. He was left to himself on the understanding that he would refuse to put any resolutions which were in any wise political in character. The week following the election of Mr. Young we had a difference with him, and on three occasions we took exception to the tactics of the Tory Party. Our resolutions were refused, the Local Government Board were appealed to, and they, of course, backed up the party of disorder, of disunion, of hatred, malice, and all uncharitableness of blood and murder. ["Order!"] I have seen bodies that have been murdered by the minions of the right hon. Gentleman. [The CHAIRMAN: Order!] Well, I believe what I say, Mr. Courtney. Sometimes, perhaps, I speak strongly, but I have seen things in Ireland that I really——

THE CHAIRMAN: Order! I should like the hon. Member to come to the Vote.

DR. TANNER: When I was interrupted by discordant jeers from hon. Members opposite I was stating that when the newly-elected Chairman of the Cork Board appealed to them the Local Government Board came to his assistance. As I say, the Chairman was elected by the votes of the *ex officios*, many of whom had no right whatever to be on the Board. At any rate, there are a certain number of gentlemen on the Cork Board who are always absent when work has to be done, and who only turn up when there is a job to be done. When we had done what we considered it was our right to do we received a couple of protests from the Local Government Board. We received a third warning because we passed a resolution of confidence in the leader of the Irish Party, in the leader of the Irish nation, a man of whom we are all proud. And then a sealed order was sent down dissolving the Board. This is no small matter. The Cork Board is one of the largest in Ireland. There are at present about 2,300 persons in the workhouse. The right hon. Gentleman the Chief Secretary makes signs of impatience. Of course, the number of poor in the Cork Union has been increased since the present Chief Secretary came into office. What has been done since the dissolution of the Board? Great and grievous harm. Two Vice Guardians have been sent down to Cork. I do not know them, but I have heard about them. Mr. Burke is in many ways a most respectable gentleman, and I have heard that Major Kirkwood is a graduate in the school of horse-racing, like most of the Lord Lieutenants who come over under the Tory *régime*. What did these gentlemen do when they came to Cork? One of the first actions of the Vice Guardians who superseded us was to cut down out-door relief. In our administration we had always to encounter the opposition of the *ex officio* members to any out-door relief being given. In their view, whenever an unfortunate person was reduced to destitution by bad times, he should enter the workhouse, but they did not succeed in enforcing their policy upon the Board, because popular feeling and common sense was too strong against them. But when our successors, the Vice Guardians, came into office, they at once proceeded by every means in their power to cut down the list of the recipients of out-door relief. In this way there were several families deprived of the pittance of a few shillings a week, which had been doled out to them. For instance, there was a blind man, named Madox, who with his family had by assistance in this way been enabled to keep out of the workhouse, and thus there was a saving to the rates, but he by the new policy was forced to enter the workhouse. Public attention being directed to these matters a check was given to these proceedings by the expression of public opinion, but

still matters are not what they should be in this respect in Cork Union. I will admit that the administration of the Vice Guardians has been productive of a small, a very small, amount of benefit. We had always to contend against the opposition of the Tory members, strong feeling was excited on the Board, and the work was somewhat impeded. The new Guardians, having full sympathy and assistance from the Local Government Board, were at once able to get the money for the purpose of providing labourers' cottages, which we for years had been vainly trying to obtain. With all their facilities, however, these gentlemen are unable to do the work satisfactorily, they naturally being hampered by the feeling of opposition which naturally arises among the people who are deprived of their recognised right of representation. The administration of affairs in the Union, in the manner I have endeavoured to point out, is far from satisfactory. In recent years similar action was taken in regard to the Ballinasloe Board of Guardians, but in that case there was, undoubtedly, a considerable amount of violence displayed, which in the case of our Board did not exist. I was the person who bore the brunt of the situation on our Board. I impeached the action of a gentleman who was a member of the Board. I told the truth about his conduct, his character, his pedigree, and his aspirations, and I was met by threats that I should have my head punched——

THE CHAIRMAN: Order, order!

DR. TANNER: I am stating what happened.

THE CHAIRMAN: It is not necessary to go over all these details in discussing the action of the Local Government Board.

DR. TANNER: I will follow your ruling, Sir. There were various scenes on the Cork Board, and the Board was dissolved, but I will not enter into this. But I demand from the Chief Secretary the reasons for the arbitrary action of the Local Government Board in dissolving this and the Dungarvan Board. I shall have occasion later to question the action of the Local Government Board Inspector. In this, as in other matters, the Chief Secretary, as President of the Local Government Board, has not done his duty, I conceive. I demand an explicit reply dealing with details in connection with the dissolution of these two Local Representative Bodies, and I ask when will representation be restored.

(7.40.) DR. CLARK (Caithness): Into these matters of detail I do not propose to enter, but I do protest against the way in which the amount of this Vote has been growing year after year, until it has almost reached the amount of the English Vote. We are asked to vote £132,000.

DR. TANNER: I beg pardon; it was my intention to conclude by moving the reduction of the Vote under head A by £1,000.

THE CHAIRMAN: Order, order!

DR. CLARK: While the amount for the English Vote is only £164,000, the salaries paid to officials seem to me preposterous in amount and number. I take one Department, the Medical, and compare it with the Departments in England and Scotland. The Medical Department in England costs £130,000 a year. I do not object to the English Vote, under which the Chief Inspector gets £1,200 yearly, for that is not too much, but I do object to that officer in Ireland getting £1,200, while in Scotland he only gets £200. If the present condition of things is allowed to continue we shall have the Irish Vote mounting up to the English Vote. Next year I intend to move a number of reductions on this Vote, and one of the things I will endeavour to do will be to reduce the Medical Inspector's Vote from £1,200 to £600, and it will then be three times the amount paid for Scotland. These high salaries are, I suppose, paid as a kind of bribe to Ireland, but I think the time has come for pruning down these extravagances, and placing Ireland, as regards officials and salaries, in a position similar to that of England and Scotland.

(7.44.) DR. TANNER: I beg to move the reduction of Item A, Salaries and Wages, by £1,000.

Motion made, and Question proposed, "That Item A, Salaries and Wages, be reduced by £1,000."—(*Dr. Tanner.*)

(7.45.) MR. FLYNN (Cork, N.): I regret that my hon. Friend has thought it desirable to move a reduction on a specific item, for it narrows the extent of our criticism.

DR. TANNER: I may explain that I was anxious to get the reasons that actuated the Board in the suppression of the Cork and Dungarvan Boards of Guardians.

MR. FLYNN: I quite appreciate my hon. Friend's object in moving a specific reduction, and that reduction being moved, there are one or two anomalies in administration to which I would invite the attention of the Committee. We find a large amount set down for auditors of the Local Government Board. We find these officers go round——

THE CHAIRMAN: That is item C, and the hon. Member must not enter upon that, the reduction being moved in regard to item A.

MR. FLYNN: I come at once to the matter which has induced my hon. Friend to move the reduction, the suppression of the Boards of Guardians in Cork and Dungarvan. I have no doubt that when the right hon. Gentleman comes to reply he will say that the Boards did not confine themselves strictly to official business. Now, in the first place, I ask the Committee to consider, what is the action of the Department having supervision in England? I have seen in the newspapers of the day a report of some very disorderly proceedings at a meeting of the Clerkenwell Vestry, when the members, departing altogether from the propriety of official proceedings, indulged in language of a personal and recriminating character, and wound up with a bout of fisticuffs. Of course, there is no defence for such conduct, which is an extreme example of what has taken place at other times in other parts of England, but we do not expect to hear that the Local Government Board in England has, at once, taken action in suppressing the Clerkenwell Vestry, or any other body which has committed an offence against the propriety of official administration, in the autocratic manner characteristic of the right hon. Gentleman who presides over the Local Government Board in Ireland. My hon. Friend made a reference to the suppression of the Ballinasloe Board. I am not familiar, as doubtless some of my hon. Friends are, with the particulars in that instance, but I am acquainted with the circumstances in relation to Cork and Dungarvan, and I say those circumstances were not of a sufficiently grave character to justify the extreme action of suppressing those Boards, and depriving the ratepayers of that representation which is the very essence of local administration in this and other countries. In Dungarvan there was some trifling disregard of the rules and regulations laid down by the Department, but attention was paid to the remonstrance, and yet the next thing we hear is that the Board has been suppressed and paid Guardians are sent down, the right of representation being taken from the ratepayers who, of course, had no voice in the nomination or selection of the superseding Guardians. But the case is worse in the Cork Union. We have on previous occasions asked for an explanation of the autocratic and, to us, unjustifiable action taken. We who have local knowledge can vouch for the work of the Guardians being carried out legitimately, fairly, honestly, and without a suspicion of jobbery, and they had, within a comparatively short time, reduced the rates of the Union to reasonable proportions. The Local Government Board could not lay to the charge of the Guardians anything in the nature of jobbery or corruption. The grave and serious offence in the eyes of the twopenny-halfpenny Magistrates of Dublin Castle was that on two occasions the Guardians did not confine themselves to the 14th Article of the General Rules, but had attempted to carry resolutions dealing with public questions of the day, actions which Guardians have in times past been allowed to take without interference. Does the right hon. Gentleman defend the suppression of the Board on the ground that there was friction and a rather hot encounter between my hon. Friend the Member for Mid Cork and the hon. Member for South Hunts (Mr. Smith-Barry)? The hon. Member for South Hunts, with that tendency to hide his diminished head, and never to defend himself in public, which has marked his career for some time past, has not explained that he was accused by certain Guardians of being responsible for a state of things in the Union, and out of this arose a resolution which was proposed, and resisted by the hon. Member for South Hunts and those *ex officio* Guardians who only attended the Board meetings when there was some appoint-

ment to be made, or business to be transacted in which they or their friends were personally interested. On the occasion there was a warm altercation between my hon. Friend (Dr. Tanner) and the hon. Member for South Hunts, and the next thing we hear of is that the Local Government Board have sent down sealed orders for the suppression of the Board, and the appointment of paid Guardians. Surely the Representative of the Local Government Board here is not going to contend that because there was a certain amount of strong language indulged in by hon. Members of the Board, even though they are Members of this House, is a sufficiently grave reason for taking this high handed autocratic step? We await the official explanation with considerable interest. I feel convinced that the right hon. Gentleman will not be able, notwithstanding his well trained ingenuity, to allege anything more serious against the Cork Board of Guardians than the fact that, on one or two occasions, they passed resolutions dealing with public political matters, and then proceeded with the ordinary business of the Board. It should be borne in mind, that before Boards of Guardians represented the National feeling in Ireland, as now they do, so far as elected members are concerned, it was a constant practice to pass resolutions of a loyal or political character, resolutions congratulating a Lord Lieutenant upon his accession to office, or commenting upon political events of the day entirely outside the routine business of a Board of Guardians. As my hon. Friend (Dr. Tanner) reminds me, in the days antecedent to Disestablishment, when there was great excitement in Ireland, and Party feeling ran high in relation to the much vexed Church question, a number of Boards of Guardians, then in the hands of the land owning class, passed resolutions denouncing the proposals of the right hon. Gentleman the Member for Mid Lothian in favour of Disestablishment. Such resolutions Boards in past times passed without reproof, if not with encouragement, and they were not more outside their ordinary business than if Boards in these days passed resolutions in reference to the Land Purchase Bill, or any of the ill-starred measures of the present Administration. It is the more desirable that these Boards should be permitted to act in this way, as they are the only bodies who reflect the public opinion of the locality. The right hon. Gentleman gets his information entirely from official sources, and, by putting their opinions on record, these Local Boards offer a further means of enlightenment to the right hon. Gentleman and his Colleagues. Copies of these resolutions are sent, I understand, to the Chief Secretary, as well as to the Local Representatives in Parliament. It cannot be contended, or it should not be contended, with any respect for the principle of Local Government, that such action on the part of Local Boards is a grave dereliction of duty, to be marked with suppression. We demand some explanation why an important body like the Cork Board of Guardians was treated in this arbitrary manner at the instance of a clique of officials in Dublin Castle, inspired and directed, as we think, by a political cabal, of which the hon. Member for South Hunts is a prominent member. There is one other matter to which I wish to call attention in connection with the action of the Local Government Board in regard to certain medical officers, in order to show how the Dublin Castle officials, inspired by the right hon. Gentleman's policy, sound whatever stop they like on the instrument on which they play. Over and over again we have brought under the notice of the right hon. Gentleman in this House certain views connected with Irish administration. I wish particularly to call attention to the readiness with which the Local Government Board officials pounce upon what they consider to be a blot, if the act is committed by a medical officer who has the misfortune to hold Nationalist views. Complaint was made of an alleged dereliction of duty by a medical officer at Killarney. A complaint was conveyed to the Government, through the medium of an insignificant and insolent minority, that application was made to the dispensary medical officer to attend a sick person, and that it was not attended to, although it was repeated. This matter was laid before the right hon. Gentleman, who, although he was unable to find time to inquire into a shooting outrage at Charleville, was in a position to set the whole

machinery of the Local Government Board in operation, and it then transpired that the explanation was, the applicant had only a red ticket, and the medical officer did not deem it an urgent case. Now, the Board of Guardians might easily have dealt with this little matter, yet the right hon. Gentleman and the Local Government Board were so responsive to the touch from certain quarters, that the whole machinery of the Department was set in motion. I think this incident is most significant of the real nature of the Government policy.

(8.7.) MR. A. J. BALFOUR: I understand that the hon. Member has attacked the Local Government Board for having inquired into a matter brought before the House of Commons.

MR. FLYNN: Yes; and they did so very promptly.

MR. A. J. BALFOUR: But how can the hon. Member complain of the prompt action of the Local Government Board? I think I may at once pass from that to other matters which have been mentioned. I have been questioned with regard to the dissolution of the Cork and Dungarvan Boards of Guardians. The dissolution of the latter Board occurred in 1888, and the matter is at least a year and a half old, and has been discussed.

DR. TANNER: The right hon. Gentleman will pardon my ignorance; he had me in gaol last year, and I could not possibly bring the matter under his notice then.

MR. A. J. BALFOUR: I was particularly referring to the remarks of hon. Members who were not in gaol. The Board was dissolved because it disgracefully wasted its time, and also its money in regard to contracts. But it will come into existence again next March, and I think hon. Members will be glad to learn that the result of the administration by paid Guardians has been to place the affairs of the Union in a much more satisfactory condition. With regard to Cork Union, the dissolution of that Board took place in July last, under circumstances which have already been described——

DR. TANNER: I am sorry to interrupt the right hon. Gentleman. He has before admitted that the Board was doing its duty in an ordinary manner. When, however, an altercation arose between two of the Members, who are also Members of this House, the Local Government Board suddenly intervened.

MR. A. J. BALFOUR: What really occurred was this: The dissolution of the Cork Board of Guardians took place in January last. The hon. Gentleman would have the Committee believe that the Board was doing its duty in an ordinary way, and was suddenly and arbitrarily dissolved for political purposes.

DR. TANNER: I did not say anything of the kind.

MR. A. J. BALFOUR: At least twice before January the Board was warned that it would be dissolved unless its manner of conducting business was altered. The Board of Guardians knew perfectly well that if they continued proceedings contrary to regulations laid down by the Local Government Board, no other course would be left to the Local Government Board than to dissolve them. This is but obviously just to the poor. If the majority of a Board of Guardians are to constantly occupy themselves with discussing, not the affairs of the Union, but mere abstract political resolutions, it is perfectly clear that the poor will suffer. If at a time when business is to be transacted the Guardians quarrel in an unseemly and discreditable manner over these extraneous resolutions, such conduct must properly and necessarily be followed by dissolution. Any one who looks into the series of transactions which terminated in the dissolution of the Cork Board of Guardians must agree that the Local Government Board acted as they were bound to act, and if, after repeated warnings, they had refrained from taking the step which was expressly prescribed by statute for such cases they would have proclaimed their own incompetence to manage the Boards of Guardians. I have refrained from describing the character of the scenes and the language used at these meetings, but even if the scenes had not been, as they were, of a discreditable character, and even if the language had been moderate and decent, which it was not, their action would have been an offence against the regulations of the Local Government Board.

MR. CLANCY (Dublin Co., N.): How many Irish Boards of Guardians are suppressed?

MR. A. J. BALFOUR: I think two.

(8.15.) MR. CLANCY: I think that the doctrine which the right hon. Gentleman has laid down in regard to Public Bodies passing political resolutions is a somewhat extraordinary one. Surely the mere doing that is not a sufficient justification for suppression. Of course if persistence in passing resolutions outside the scope of business should lead to actual mismanagement of the affairs of a Union I would sympathise with, and, indeed, advocate a policy of stringent suppression.

MR. A. J. BALFOUR: I endeavoured to explain that this Board was suppressed because these political resolutions were brought forward at such a time that the legitimate business of the Board was delayed.

DR. TANNER: The second resolution congratulating the Leader of the Irish Party on the result of the Parnell Commission Inquiry was only proposed after a resolution had been carried congratulating a Conservative gentleman, who had been ill, on his recovery.

MR. CLANCY: Even if it were true that some members of the Board were inconvenienced by the discussion of political resolutions before the regular business was proceeded with, I think it was a very hard measure to deprive the ratepayers of the right of having their affairs administered by elected Guardians. Of course if such conduct really prejudiced the affairs of the Union, such an extreme course of action might have been justified. But I do not gather that the right hon. Gentleman has charged against the Cork Board anything like the misappropriation of funds, the fraudulent placing of contracts, or delay in the management of business, and, that being so, I think it is a very hard case to deprive the ratepayers of the right of electing a Board for the simple reason that certain members of the Board were inconvenienced on one occasion. In neither the case of the Cork nor of the Ballinasloe Boards has the right hon. Gentleman been able to point out anything more serious than mere personal inconvenience, and, therefore, I say that the punishment inflicted was too severe. In another case a complaint was made that a contract was given to a person who ought not to have had it, and even in that case I doubt whether the suppression of the whole elective system was not too severe a punishment. Some smaller penalty would surely have adequately met the case. The Local Government Board has the minutes of every meeting of a Board of Guardians in Ireland transmitted to it within a week of the meetings being held, and surely nothing would have been easier than for the Central Authority to refuse to confirm the contract, and to insist on its being given by the Local Board to another person. No, the Local Government Board preferred to suppress the Local Board of Guardians, and this is indicative of the whole system of Irish government. The fact is, that the Dublin Castle officials avail themselves of the slightest pretext for suppressing one of these Boards, and the suppressions generally take place in those parts of Ireland where the Nationalist Party have obtained the upper hand on the Boards. In many cases recently in the North of Ireland Boards of Guardians have made it the first business of the day to pass political resolutions in support of the policy or measures of the Government, and within the last six months nearly every Board in the North has adopted that course, especially in regard to the Land Purchase Bill of the Government. Nevertheless, in no single case in the North of Ireland, where these transactions have taken place, has the heavy hand of the Local Government Board been felt. It is only when we come to the Nationalist parts of the country—Leinster, Munster, and Connaught—that the Local Government Board come down, hot and heavy, on the least pretence, and sometimes on no pretence at all. Some protest is called for from the Nationalists against this policy of terrorism—this attempt to humiliate where they cannot convert. I hope the Boards of Guardians will not be intimidated. These Local Bodies are the representative centres of local feeling, and I think that Boards of Guardians and Town Councils and other authorities are justi-

fied in passing these resolutions, and I hope they will pass them whether they be Orange or Nationalist. We can only protest, as we shall protest again and again, against offences of this kind being visited with the severest punishment, namely, suppression. (8.32.)

(9.5.) MR. BLANE (Armagh, S.): The list of salaries and wages presented to the Committee under this Vote this year is very significant. At present, we have under 5,000,000 of population, and in the year 1848 we had over 8,000,000, and with the latter number, the amount voted was £19,636. If we now voted a proportionate amount to this Irish Bumbledom, we should be paying £10,000, but instead of asking us to vote that sum, we are asked for over £23,000. In the year 1848, the cost of Inspectors amounted to £2,110, but in the present Estimates we are asked to vote for Inspectors alone £3,930. In 1848 the cost of travelling and auditors was £3,300, but now, though there are 3,500,000 less people in the country, the cost is £6,750. If this money were voted for poor people who require relief, I think nobody on this side of the House would say much, but the cost of the poor per head per week was only 2s. in 1848, and it is the same to-day, and therefore the increased charges made under the Vote must have been devoured by the officials. No portion of the increase goes to the poor. It is all absorbed by salaries, allowances, and travelling expenses. The total cost in 1848 was £41,699, whereas now, with little more than half the population, it is £132,603, that is to say, some thousands more than three times the amount. And it must be remembered that in 1848 the country had only just emerged from a period of famine and great distress. The distress was so great in 1847 that the House had to give a Supplementary Estimate, and I believe there was also a Grant in Aid voted. The salaries voted to these officials are far beyond anything they would obtain in ordinary civil life. I find that the Inspectors have £500 a year, which rises after five years to £700, and comes under the general Vote of salaries and wages. The auditors draw a large amount, not only for salaries but for travelling.

THE CHAIRMAN: An Amendment has been moved to item "A." The hon. Member must confine himself to that item. He cannot deal with the others.

MR. BLANE: We are dealing with the question of salaries and wages. Well, I must say it appears to me we are voting two-thirds as much in salaries as we ought to according to the population. I think the official charges should have some relation to the number of population, because when increased burdens come and have to be borne by a smaller number of people they press with great severity on the poor. They do not press on the landed class, but on the humbler classes, who are getting every year less able to bear them. Although we are a richer people than we were, it must not be forgotten that there is not that equal distribution of wealth which some of us are endeavouring to bring about. There is a great deal of distress amongst the people, and the poor have to pay these large salaries and expenses out of every smoke of tobacco they take and every glass of beer or cup of tea, coffee, or cocoa they drink. If we devoted this money to bettering the condition of things, so far as the poor people in the workhouses are concerned, I should not complain; but we do not. It goes to what are called the loyal minority. We hear a great deal about the loyalty of these people, but we find that out of almost every Vote that comes up they get something for their loyalty. You never find salaries and allowances getting less. They are an ever-increasing quantity. We are asked to vote more than we did last year or the previous year; in fact, ever since 1848 the demand has been increasing, and I must protest against this enormous sum being voted in the shape of salary for men who, if they were thrown on their own resources in any other country, would find it difficult to make a living.

(9.13.) MR. HAYDEN (Leitrim, S.): I desire to call attention to a case of peculiar hardship. It is this: Mr. Peter Keogh, a gentleman for some years a

Guardian of the Ballinasloe Union, and a Juror of the County of Roscommon, and who had experience of the management of large numbers of workmen, having been appointed to the mastership of the Athlone Workhouse, the Local Government Board refused to sanction the appointment. How far they were legally entitled to do so may be hereafter tested; but the grounds on which they base their refusal are, first, that Mr. Keogh was twice convicted, and, second, that he has had no official experience. With regard to the convictions, I may inform the Committee that one of them was on account of an alleged assault on the occasion of his eviction from his farm for a rack rent, sought to be levied on improvements which were the result of his labour and expenditure. The other was a conviction without the right of appeal, for having been amongst a crowd at Ballinasloe Railway Station when cheers were given for some Coercion Act prisoners who were passing. Convictions such as these are not now regarded in either country as affecting a man's moral character. With regard to the charge of inexperience, I think that the Guardians who know Mr. Keogh personally, and are aware of his intelligence and capabilities for the office, are better judges of his qualification than the members of the Local Government Board. Full acquaintance with all the duties of office is not always deemed essential in Ireland, otherwise the Vice President of the Local Government Board would not hold that position. But the real reason for the refusal is that Mr. Keogh was appointed by a popular Board, at the meetings of which the landlord section only attend when some job is to be carried. Failing success there they resorted to private intriguing with the Authorities in Dublin to carry out their views. Complaints are sometimes made of the conduct of Boards of Guardians, and it is said that their suspension ought to be justified on account of their manner of conducting their business, but I would ask the right hon. Gentleman to give a single instance in which in Ireland such language or such conduct has occurred as the *Evening Standard* describes as taking place at a London Vestry to-day. It says—

"There were the usual personalities, and scenes of confusion peculiar to this Board, and remarks such as 'You are a liar;' 'You little rascal;' 'You vagabond;' 'You are an unmitigated liar,' &c., were frequent, notwithstanding the energy with which the Chairman (Mr. W. L. Kellaway) wielded his gavel, and shouted for order. The ratepayers' gallery was crowded during the whole of the six hours' meeting, and the people shouted and applauded and joined in the hilarity which some of the wits of the Board created. But the climax was reached about a quarter to 1 o'clock, when Mr. John Ross, after many offensive personalities, said something to upset Mr. George Elcock. The latter gentleman rushed round the table, and excitedly exclaimed, 'You say that again!' Mr. Ross repeated his assertion, and Mr. Elcock struck him a violent blow with his fist in the left eye, which caused an immediate swelling. Mr. Ross retaliated by throwing one of the heavy metal inkstands at the head of his opponent; but this fortunately missed its mark, and did no greater harm than smothering Mr. Elcock in ink, and breaking a piece off the board-room table."

There is a half a column of similar description, and I should like the right hon. Gentleman the Chief Secretary to give an instance of a similar disgraceful scene to this described in a London Conservative newspaper having occurred in Ireland. Will the English Local Government Board dare to take notice of this and suppress the Clerkenwell Vestry? Certainly not. A somewhat similar scene occurred at a meeting of the St. Paul's Vestry, Deptford. The *Evening Standard* says—

"Mr. Smith demanded to be heard, and for a time confusion prevailed, Mr. Smith declaring that last time brute force was used, and challenging any member now to turn him out. Other accounts were passed, the Chairman immediately putting the motion on Mr. Smith rising. Mr. Wheatley protested against 'this indecent way of doing business,' and other members spoke in a similar strain."

No notice will be taken of these proceedings by the English Local Government Board, whilst Irish Guardians are hampered in every possible way in the exercise of their duty. If this is the right hon. Gentleman's idea of conceding Local Government—depriving men who have the confidence of the people, and who best know the wants of their localities and the qualification of their officers of the little power they at present possess—it bodes ill for the success of his remedial policy, and in this instance, at all events, is only likely to result in adding another to the list of suppressed Boards.

(9.22.) DR. J. G. FITZGERALD (Longford, S.): The right hon. Gentleman shows on most occasions a tendency to do what is right in regard to these matters if he is not hampered by his officials. Unless the right hon. Gentleman will advise the Chief Secretary to give us some undertaking to consider the advisability of restoring the rights of these Local Bodies, I hope my hon. Friend will press the reduction of the Vote. It is a remarkable thing that at the very moment when the Unionist supporters of the right hon. Gentleman are refusing to support his Land Bill unless he will extend a larger measure of local self-government to Ireland, the right hon. Gentleman is suppressing one of the Local Governing Bodies that exist. The right hon. Gentleman defended the suppression of the Dungarvan and the Cork Boards on different grounds. At Dungarvan he said the Guardians would persist in giving a contract for bread to a certain local baker, of whose bread the doctor did not approve. I would like to point out that the baker was a Nationalist baker, while the doctor was a Tory doctor. Although the doctor might have some complaint to make of the bread, I do not think that the fact of a loaf having been too small or not of the desired quality for the time being was sufficient ground for suppressing one of these Local Bodies that administer to the wants of the poor. With regard to the Cork Guardians, there is no doubt that certain controversies arose between members of the Board who hold one political view and members who entertain another, but I think the right hon. Gentleman has shown no good grounds for the suppression of the Board. Of course, it is desirable that Boards of Guardians should keep within the bounds of moderation, but I do not think it will be contended that the Boards of Guardians in Ireland as a whole are not conducted in a better and more efficient manner perhaps than the Boards in this country.

(9.26.) MR. SHEEHY (Galway, S.): The answer given by the right hon. and learned Gentleman the Attorney General for Ireland (Mr. Madden) this evening about the refusal of the Local Government Board to sanction the appointment of Mr. Keogh to the mastership of Athlone Union was, I think, the most extraordinary answer ever given in this House. We were told that that gentleman had not previous official knowledge. I ask the right hon. Gentleman to name for me three unions in Ireland the masters of which had official knowledge before they were appointed. The practice is to elect a man who is new to official life. The real reason why the appointment was not sanctioned was that Mr. Keogh had been convicted of an assault, or, in other words, of having defended his home when he was being evicted on account of his incapacity to pay the exorbitant rent which had been for many years wrung out of him. His case was a case of desperation, and he defended his home as any good man would do and ought to do. Mr. Keogh is a Nationalist, like many others in Ireland, he has kept the green flag flying in spite of all difficulties, and it is because he does not belong to the class of crawlers who are Nationalists one day and who go over to the Government the next day when their own interests are at stake that the appointment was not sanctioned. If he had been rowdy and a man of no character, but a supporter of the Government, there would have been no difficulty. A year ago a man named Hewett was summoned for threatening to blow the contents of a revolver into a man and violently assaulting him, but because he happened to be an emergency man he was let off with the slight fine of 27s., and he is now an officer in Queenstown. The rowdy of a year ago is now the guardian of the peace in Queenstown. Mr. Keogh, the Nationalist, because he defended his home, is not to get any appointment. This shows that the trail of the serpent is over every office and department in Ireland. Every office is given to men of one faction, and every man who is a political opponent is sure to meet with opposition at every point. It is said that Mr. Keogh is lacking in official knowledge. What official knowledge did the Vice President of the Local Government Board possess when he was appointed to Office? Mr. Keogh is a man of education, a man of capacity, and a man of wide experience

in public affairs. We do not intend to let this question drop until we receive a satisfactory assurance, and I think it will be better for the Government to promise that the refusal to sanction the appointment on such paltry and miserable grounds will be re-considered.

(9.37.) MR. STANSFELD (Halifax): I feel bound to challenge the statements of the right hon. Gentleman the Chief Secretary with regard to the grounds of suspension of Local Boards of Guardians. I know nothing of the facts except from what I have heard; but I maintain that the Chief Secretary's case for the suspension of the Cork Board of Guardians is not sufficient. I know perfectly well that the Irish Poor Law is not like the English Poor Law. It has always been a harsher Poor Law, and has always been administered in a harsher spirit. Allowing for that historic difference, surely the right hon. Gentleman is not prepared to deny that the extreme power of suppression ought to be charily exercised, and only exercised upon a clear and indisputable case. I say that the right hon. Gentleman's case was not clear. The right hon. Gentleman made the significant and important admission that Boards of Guardians were perfectly justified if they chose to occupy a part of their time in passing political resolutions.

MR. A. J. BALFOUR: The right hon. Gentleman is mistaken. What I said was, that members of Boards of Guardians who happen to hold particular views can, if they choose—for nobody would interfere at all—after the Board meeting is over, pass any resolutions they like.

MR. STANSFELD: I was about to make precisely that statement, so that the right hon. Gentleman's interruption was uncalled for. The right hon. Gentleman admits that Boards of Guardians have this right; only he says it is a question of time and opportunity. According to the right hon. Gentleman, if the Cork Board of Guardians had attended to their Poor Law business first, and passed their resolutions at the end of the business meeting, he would have had no fault to find, or, at any rate, would have taken no action.

MR. A. J. BALFOUR: That is not so.

MR. STANSFELD: Then, I do not understand what the right hon. Gentleman means. He said in the most distinct way that their fault was that they passed these resolutions at the beginning and not at the end of the meeting. I say that is no justification for the action the Chief Secretary took. It is conceivable that by passing these resolutions at the beginning of the meetings they might interrupt business, but the right hon. Gentleman made no such statement. Is it an efficient defence to say that a resolution was passed at the beginning instead of the end of a sitting? Should not the right hon. Gentleman have followed up that statement by a demonstration that the Poor Law had suffered? I do not wonder that he did not put it much higher, because time was when the right hon. Gentleman's friends constituted the majority on these Boards of Guardians and passed political resolutions, and I have never yet heard that they were suspended for passing such resolutions either at the beginning or end of the proceedings of the Board. The power of suppression is an evil power, a power which in this country we should not dream of exercising under any conceivable circumstances. It is incumbent on the right hon. Gentleman to give full and exhaustive answers to Irish complaints. The President of the English Local Government Board (Mr. Ritchie) would not have ventured to address to this House such an argument as we have heard from the right hon. Gentleman (Mr. A. J. Balfour). It is because it is an Irish grievance that the right hon. Gentleman, in his accustomed manner, has thought right to treat it with cynical indifference. Having known something about the administration of the Poor Law, I say he is bound to show that the case was extreme or he cannot justify the application of so severe and stringent a power. He is bound to show that the business of the meeting was not fulfilled and that the poor suffered in consequence of the non-fulfilment of the duties of the Board. I invite the right

hon. Gentleman to complete an explanation which, I say, as it stands, is utterly incomplete and unsatisfactory.

(9.43.) MR. A. J. BALFOUR: The right hon. Gentleman may have known something at one time of the administration of the Poor Law, but I think he must have forgotten it. The right hon. Gentleman appears to think that such proceedings as those of the Cork Board of Guardians would be tolerated in England. I venture to think that they would not be tolerated here. The right hon. Gentleman appears to suppose that the action of the Local Government Board in suppressing the Board of Guardians was sudden, arbitrary, and unexpected. There never was such a mistake made.

MR. STANSFELD: I did not say anything of the kind.

MR. A. J. BALFOUR: If the right hon. Gentleman had listened to my speech——

MR. STANSFELD: I listened to every word of it.

MR. A. J. BALFOUR: I will put it in this way. If I had been able to convey my meaning to the right hon. Gentleman, he would have seen how entirely uncalled for were some of the heated observations he has made. The Local Government Board addressed a remonstrance to the Guardians for an infraction of the recognised rules of the Local Government Board as early as January 18, 1888.

DR. TANNER: May I ask the Chief Secretary whether it is not the fact that all the remonstrances were in respect of the same rule?

MR. A. J. BALFOUR: I do not question the force of the observation of the hon. Gentleman. But as early as 18th January, 1888, the Local Government Board addressed a letter of remonstrance to the Cork Board for an infraction of the regulations. The remonstrance was repeated on November 14, 1888, and it was again repeated on August 7, 1889. On that occasion the Local Government Board wrote pointing out that such conduct as the disorderly opposition to the ruling of the Chairman, and adjourning the meeting, leaving much important business undone, was of such a kind that, unless the Board of Guardians proceeded to discharge their duties, the Local Government Board would be compelled to dissolve them. Again, on October 2, 1889, the Local Government Board addressed the Guardians on the continued disregard of the order regulating their proceedings, and addressed a final warning, in which they stated that if the Guardians continued to leave undischarged the important functions entrusted to them, the Local Government Board would feel themselves compelled to relieve the Guardians of the duties which they appeared to be unable or unwilling to fulfil according to the regulations governing their proceedings. In 1890 occurred the scenes I have referred to. On three separate occasions the Board of Guardians deliberately put off their business in order to pass political and personal resolutions which had no reference whatever to the duties they were called upon to perform.

MR. J. O'CONNOR (Tipperary, S.): What were those resolutions?

MR. A. J. BALFOUR: The right hon. Gentleman——

MR. J. O'CONNOR: What were the resolutions?

THE CHAIRMAN: Order!

MR. A. J. BALFOUR: The right hon. Gentleman seems to regard that as a matter of small importance. It is not a matter of small importance.

MR. STANSFELD: The right hon. Gentleman must not misrepresent me. I believe I spoke clearly and distinctly. My case was that the right hon. Gentleman had not condescended to give an explanation of the circumstances. The only statement he made was that the Board of Guardians had passed resolutions at the beginning of the meeting.

MR. A. J. BALFOUR: The right hon. Gentleman has given an inaccurate version of my speech. I expressed myself in language which might have been intelligible even to him.

DR. TANNER: I rise to order. I want to know whether the right hon. Gentleman is in order in making such a statement as that?

THE CHAIRMAN: The right hon. Gentleman is entitled to use such language, though I think it is unusual. I must point out to the right hon. Gentleman the Member for Halifax that if he had heard the first speech of the Chief Secretary I think the misunderstanding would not have arisen.

MR. A. J. BALFOUR: I entirely agree with your ruling, Sir. The circumstance which perhaps made me speak with a little heat is now entirely explained. It now appears that the right hon. Gentleman did not hear my remarks, but notwithstanding that he comes forward and attacks me for having given no explanation, the right hon. Gentleman did not take the trouble to be in his place to hear my explanation.

MR. STANSFELD: I beg pardon; I did hear his speech in reply to an hon. Member behind me, and I assumed that that reply was intended as an explanation to the hon. Member.

THE CHAIRMAN: I am responsible in this matter. I thought that the right hon. Gentleman had not heard the first speech which contained the explanation of the absence of which he complains.

MR. STANSFELD: I certainly did not hear that statement. I only heard the statement to which I refer.

MR. A. J. BALFOUR: Then perhaps the right hon. Gentleman will not again complain of my not having given the Committee an adequate account of the transaction. I explained to the Committee the circumstances which occurred in 1889. It is not necessary to meet the explanation. Suffice it to say that on three separate occasions the Board of Guardians broke through the regulations laid down for the conduct of business by the Local Government Board, and that this was followed by a final warning; and, in my opinion, neither the Presidents of the Local Government Boards in England or in Ireland could possibly have left unnoticed and undealt with so grave and deliberate an infraction of the rules laid down for the transaction of Poor Law business in every Union in the country.

(9.52.) MR. J. O'CONNOR: The language the right hon. Gentleman has thought fit to address to the right hon. Gentleman the Member for Halifax (Mr. Stansfeld), who occupied the important post of President of the Local Government Board before the Chief Secretary had a seat in this House, was unworthy of the Chief Secretary. The Chief Secretary said the Cork Board of Guardians was suppressed because it passed political and personal resolutions, but he left the Committee entirely in ignorance as to what the nature of the resolutions was. From time to time the Cork Guardians received warnings because they passed resolutions condemnatory of evictions. What subject was more suitable for Guardians to deal with? Is it not provided by laws passed by this House that it is necessary for landlords, the friends of the right hon. Gentleman, to send notice to the Board of Guardians to provide space in the workhouse for evicted tenants? I think it is, therefore, quite within the right of the Guardians to condemn by resolution a course of conduct which places burdens upon their shoulders.

MR. A. J. BALFOUR: The hon. Gentleman does not appreciate the force of my observations. What I said was that those members of the Board who took a particular view of any subject were at perfect liberty to stay after business hours and pass resolutions, but to pass resolutions with regard to a particular suit brought against the Member for Cork at the beginning of business, thereby preventing the public business of the Union from being transacted, was contrary to the regulations of the Local Government Board.

MR. J. O'CONNOR: I will come to that in a moment. Such, I say, was the nature of the resolutions passed by the Board of Guardians in 1888 and 1889. But the Local Government Board did not act on those resolutions, but they acted upon a personal resolution. The Cork Guardians passed a resolution congratulating a certain gentleman upon his recovery from a serious illness, and shortly afterwards the hon. Member for Mid Cork (Dr. Tanner), acting upon the precedent established by the friends of the right hon. Gentleman, proposed

a resolution of confidence in his chief and leader (Mr. Parnell). I maintain that that was a very proper resolution to pass. The hon. Member for Cork (Mr. Parnell) has impressed his personality upon the legislation of this House, affecting Poor Law Guardians in Ireland. The character of the hon. Gentleman was attacked, and thereupon the Cork Guardians expressed their confidence in the hon. Member. There was no dissolution of the Board two or three years ago when they passed resolutions both before, during, and after the legitimate business of the Board. And why? Because the Guardians were presided over by a Nationalist. Last year and this year the Board has been presided over by a friend of the right hon. Gentleman, and he has declined to receive resolutions, hence the difficulty. The Chairman has been incited to this course of conduct by the right hon. Gentleman. The right hon. Gentleman made a speech in the Antient Concert Rooms in Dublin, in which he incited—— Ah! he is going away now. He flies! He made a speech on that occasion last year, and it has been adverted to by my hon. Friend the Member for East Mayo as the only occasion upon which the right hon. Gentleman addressed a meeting of Irishmen, or of people who call themselves Irish when it suits them. This, the only meeting he has addressed in Ireland, was held with closed doors, and those who attended it took care that their names did not appear in the public Press. To this meeting the right hon. Gentleman addressed himself, and among other things he advised those who were Chairmen of Poor Law Boards, and of the same way of thinking as himself, not to accept these resolutions. Therefore, I say he incited to a precipitation of these difficulties. Naturally, the elected Guardians on the Cork Board insisted upon having the resolution considered. The *ex officio* Guardians left the room with their Chairman, the hon. Member for South Hunts, I suppose, leading them. The Nationalist Guardians put their own Chairman in the chair, and conducted the rest of the business with satisfaction to themselves, the ratepayers, and the poor, for whom they had to provide. This was how the present state of things was brought about, and the action of suppressing the Board was because the resolution was of a character obnoxious to the Government. My hon. Friend, when the right hon. Gentleman alluded to this, said a resolution had been passed congratulating a Conservative Member of the Board upon his return to health and his duties, and then the right hon. Gentleman said that was an additional reason why they ought to be suppressed. Now, surely the right hon. Gentleman was not serious when he made such an observation as that. Does he think he can impose upon our intelligence as an additional reason for suppression the fact that the Board passed a resolution congratulating a Conservative Member of the Board who had been seriously ill, and who is highly respected by every member of the Board? Well, so much for the Cork Board of Guardians. I turn to another matter I desire to bring under the notice of the right hon. Gentleman in connection with this Vote. The Local Government Board are constantly engaged in the interesting process of boycotting the National Press of Ireland. In and out of the House we hear the Chief Secretary stigmatise boycotting as a criminal conspiracy, but the Boards under the control of the right hon. Gentleman are engaged every day in boycotting the National Press in Ireland. A circular has been sent out by one of these Boards to the effect that only that portion of the Press which is friendly to the Government in Ireland should receive official advertisements. At the present moment the *Cork Daily Herald* and the *Cork Examiner*, the two Nationalist papers which circulate not only throughout the County of Cork, but throughout the whole Province of Munster, receive not a single advertisement from the Local Government Board. These advertisements are all sent to the *Cork Constitution*, which has a limited circulation among the few friends of the hon. Member for South Hunts. The Cork National Press is abolutely boycotted. The Members of the Boards, with the Chief Secretary at their head, have entered into a criminal conspiracy to boycott the *Cork Herald* and the *Cork Examiner*. This ought to discount a great deal the effect of those denunciations we hear from the right hon. Gentleman when he stands at that

Table, and with those dialectical flourishes for which he is so remarkable declaims against everybody for indulging in boycotting. Again, the Nationalist newspaper in Carlow, having the largest circulation in that county, has been deprived of these advertisements. The editor has written to the secretaries of these Boards, pointing out the injustice to which his newspaper has been subjected, but he has got no satisfactory answer. He has been told, indeed, that he has been sent to gaol, but I should have thought that the offence of the editor had been expiated by a two months' imprisonment, but that is not so in the view of the Local Government Board and the Government of Ireland. Although he has rested his weary frame on the plank bed, has partaken of the fare of the convict, and worn the convict dress, when he comes out again to pursue his avocations he is followed with punishment into his private life by that system of boycotting which the right hon. Gentleman meets elsewhere with "shadowing" and vigorous denunciation. These things lead us to the belief that the Local Government Board is actuated by that animus which exists in the mind of the Chief Secretary. I should have thought that the Local Government Board would have acted in a fair spirit towards the Local Poor Law Boards. It is many years ago since the Act was passed calling into existence Boards of Guardians in Ireland, and the people were called upon to exercise rights previously suppressed, the people of Ireland being hopelessly subject to penal laws. Without any previous training in the science of local administration the people were called upon to exercise their powers, and yet from the day they were called into existence until now these Boards have conducted their business so well that in one instance only had the Controlling Board found it necessary to exercise its authority and suppress a Board for dereliction of duty, and I may mention that in that one instance business was conducted almost entirely by *ex officio* members. This is a highly creditable state of things, such as would do credit to a more favoured country. Through all these years the people have done their business thoroughly well, and there was no friction until, through stress of political circumstances, the people were obliged to use their Poor Law Boards for the exercise of their undoubted right in the expression of their political opinions, or, at all events, those opinions that bore upon the maintenance of the poor in Ireland. We notice that this question first arose on the very inception of the National movement, under a former Government, when an attempt was made to prevent doctors holding positions under the Poor Law Board from taking their natural place among the people in their popular agitation. In all such cases the people stood by the doctors, and, in deference to popular opinion, doctors who were deprived of their positions were reinstated. Now we find another course is being pursued. We found a year or two ago a Wexford Board of Guardians was suppressed because they made special provision for the relief of evicted tenants, and now these Cork Guardians have been suppressed because they passed resolutions of a *quasi*-political character, which, undoubtedly, had a bearing on the maintenance of the provision for the poor. Unfortunately, the Local Boards are under the authority of the Board presided over by the right hon. Gentleman, and his animus and his spirit prevails on the Board, and so we see that, without sufficient cause, this great principle of representative local administration is destroyed, for the purpose of giving vent to the expression of political acrimony which distinguishes the Chief Secretary.

(10.15.) MR. T. W. RUSSELL (South Tyrone): I may be allowed to ask the Chief Secretary one question, and that is, whether, while the members of the Cork Board of Guardians were passing political and personal resolutions, the rates were to a great extent uncollected, and the balance at the bank was against them; and whether, since the Vice Guardians were appointed, the condition of affairs has improved?

MR. A. J. BALFOUR: Yes; I believe the administration of the Union has greatly improved.

(10.16.) COLONEL NOLAN: The observation of the hon. Member is

calculated to convey a false impression. It is a notorious fact that throughout the Unions in the South and West it is a very common thing for the accounts of the Guardians at the banks to be overdrawn in January, for the simple reason that the rates are not collected until later. I know this is the case of Tuam, which is a well-managed Union. It is a well recognised habit for bankers to allow accounts to be overdrawn until after the fairs are held, when rates are paid in and there is a large balance to the credit of the Guardians. It is simply a matter of arrangement, and there is nothing exceptional in the fact that the account of the Cork Guardians was overdrawn.

(10.17.) MR. J. O'CONNOR: Upon the answer which has just been given, may I ask is it not a fact that the paid Guardians do not give that attention to outdoor relief which occupied much of the time of the elected Guardians, week by week, as they revised the list of the recipients of this form of relief, relieving the charge upon the rates by this part of a well recognised and enlightened system of Poor Law administration?

(10.17.) MR. DILLON: Does the hon. Member for South Tyrone mean to convey, by his question, or insinuate, that it is any part of the duty of Guardians to go out and collect rates from the ratepayers?

MR. T. W. RUSSELL: I intended to convey nothing of the kind, but I do say they would have been better occupied in seeing that the business of the Union was done than in passing resolutions about the O'Shea Divorce case.

MR. DILLON: But the hon. Member did not speak of the business of the Union; he spoke of the collection of rates, not of business to be done around the Board table. I have never been a member of a Board of Guardians, but I have always understood that the business of collecting rates is the work of collectors, who are bound to collect the money under penalties, and it is nothing to do with the business of the Board meetings. But, however that may be, any neglect is equally attributable to the majority on the Board, the Conservative and nominated members. The fact is, a shameful, scandalous animus underlies the action of the Local Government Board. The Cork Guardians committed the unforgiveable sin of passing a resolution in favour of my hon. Friend the Member for Cork. They might have passed resolutions by the score on other subjects. These are the only constituted Representative Bodies we have except Town Councils; they are the only representative Rural Bodies, and do you lay down the principle that they are not to be allowed to give expression to the feelings of the people? The right hon. Gentleman plainly showed what was the real cause of the suppression. Not because they neglected business, because he did not attempt to prove to the Committee that there had been any such neglect; the reason was because the Guardians passed a resolution of confidence in the hon. Member for Cork.

MR. A. J. BALFOUR: I stated precisely the reverse.

MR. DILLON: Does the right hon. Gentleman say that the Board neglected business?

MR. A. J. BALFOUR: Yes.

MR. DILLON: We have it from my hon. Friend the Member for Mid Cork (Dr. Tanner) that they did not leave the Board-room until they had concluded all the business of the meeting. My hon. Friend says, and he was present, that the whole of the business was finished before they separated, and we want something more than a bare *ipse dixit* on the other side. If they did not conclude the business, what part of it was left undone? Further, the right hon. Gentleman says the proposing of the resolution led to waste of time. Why? Was it the fault of the Guardians who introduced it? Nothing of the sort. It was because of the unreasonable and outrageously partisan conduct of the Chairman, who obstructed the introduction of the resolution,

although he had allowed a resolution in reference to one of his own party—his son-in-law I am told—to be passed without protest and with approval. This was done in a few minutes, but when a resolution was introduced in favour of my hon. Friend the Member for Cork the Chairman obstructed the resolution, the Tory members of the Board made a disturbance, and so the time of the Board was wasted. I protest against the waste of time being charged against the Nationalist Guardians. I say that the members of this Board of Guardians were entitled to pass this resolution, although it did not form part of their particular business. You cannot, by a hard and fast rule, utterly gag the people of Ireland. If you will not give them Local Government it is absurd to say the mouths of Guardians shall be shut, and that they shall not, provided they attend to business, express the opinion of those they represent on public matters of the time. If there was neglect of business, there was sufficient reason for suppression, and there was no reason to refer to the resolution; but as no neglect of business is shown, we may fairly assume that the resolution was the cause of suppression. We are entitled to have the specific grounds upon which the Board was suspended. If the right hon. Gentleman has details of the business, as his answer to the hon. Member for South Tyrone would seem to indicate, we are entitled to have this information. I do not suppose he has the same conception of the duty of Boards of Guardians as the hon. Member for South Tyrone, that it includes interference with the business of rate collectors. The hon. Member has left his seat; I was going to ask him if he had paid his own rates, for I know it is not at all an unusual thing, even in Dublin, to defer the payment of our rates until the autumn, but we do not live in fear of our furniture being seized for arrears

(10.25.) MR. A. J. BALFOUR: I need not again go over the grounds upon which I defended the action of the Local Government Board, but the hon. Member has asked me a specific question, to which I will endeavour to give him a reply. The business left undone by the Cork Board of Guardians on January 9, was the consideration of the Report of the Engineer with reference to the Blarney water supply; a question as to labourers' cottages; the Report of the medical officer with reference to the defaulters under the Vaccination Act; the consideration of a communication from the Local Government Board as to statistics of relief and the salary of one of the officers; and other matters. The business left undone on January 16 included the consideration of a Motion of which notice had been given by the Chairman, in reference to out-door relief, and the Report on the water supply. This is the specific information I have at my disposal.

(10.25.) DR. TANNER: The right hon. Gentleman has not answered the question at all. He has not told us what business was left undone on the occasion when the Tory members, led by the hon. Member for South Hunts, the absentee landlord, effected a strategic retreat to the County Club. We put the Mayor in the Chair, and we finished all the business before us; we left none undone; we finished all arrears of business that had accumulated. Some Members of this Committee may not understand that frequently there are before the Board, and especially in large Unions like Cork, debateable matters, such as the right hon. Gentleman has alluded to, the Blarney Water Supply, that have to be referred again to officers or to Committees. It would have been unwise and unfair if we had taken advantage of the absence of the Tory members to settle a matter still under debate. We did not wish to copy their bad example; we desired to act squarely and above board; we hit straight, and not under the belt, when necessity arises.

(10.27.) COLONEL NOLAN: Those who are familiar with the business before Boards of Guardians know that there are subjects with which some members of the Board are better able to give advice than others, and, especially in regard to such matters as building and engineering, it is the habit to post-

pone a settlement in the absence of members whose technical information may be of value. Two of the matters mentioned by the right hon. Gentleman come within this category, labourers' cottages and water supply, and the settlement of such building and engineering questions is not infrequently postponed by every Board. As to vaccination cases, these are always put off. There will probably be a large number of cases as to which it is open to the Guardians to prosecute, but it would be most injudicious to proceed at once. Decision is advisedly postponed, and the result usually is that the list of persons who have failed to comply with the Act is largely reduced, and you are saved the irritation and expense that would be entailed if the Guardians acted up to the very letter of their powers. These are matters outside the necessary financial and routine work connected with the administration of the Poor Law, and I do not think there is much difference in the administration of Poor Law Boards in Ireland to that in England.

(10.30.) Mr. ARTHUR BALFOUR rose in his place, and claimed to move, "That the Question be now put;" but the CHAIRMAN withheld his assent, and declined then to put that Question.

Debate resumed.

MR. M. HEALY (Cork City): There can be no doubt that the Government have been guilty of gross unfairness in the treatment they have meted out to the Cork Board of Guardians for having passed resolutions of a political character. The real question is whether the Cork Guardians did their business in an efficient manner. Does the right hon. Gentleman the Chief Secretary contend that it is entirely beyond the competence of a Board of Guardians to pass resolutions in regard to political topics? If he is of that opinion, I am not, and I would remind the Committee that it is not so very long ago when the right hon. Gentleman himself sent a letter to a Board of Guardians thanking them for a resolution they had passed in favour of his own Land Purchase Bill. That is an incident which occurred within the last six months. So that we are in this position, that the right hon. Gentleman thinks it necessary to suppress one Board of Guardians for having, as has been stated, neglected its duty in regard to the collection of rates, and for having, at the same time, passed resolutions of a political character in defiance of the Local Government Board, while, on the other hand, when another Board of Guardians passes a resolution expressing approval of the right hon. Gentleman's Land Purchase Bill, so far from suppressing that body he, as head of the Local Government Board of Ireland, actually sends that body a letter of thanks. In point of fact, he did not even allow the letter to be written by his private secretary, but the document approving the action of that particular Board of Guardians was written in his own fine Roman hand. I ask the Committee, and I also ask the right hon. Gentleman, how can he reconcile the action involved in the despatch of such a letter, with that which he took in directing the suppression of the Cork Board of Guardians, which had also thought it right to pass political resolutions, but which had taken a totally different view of the political situation from that of the other body. The real difficulty in regard to that Board arose from the obstruction originated by the right hon. Gentleman's own political friends. Of all the acts which have helped to heap opprobrium on the name of the right hon. Gentleman, there is, I think, none that can be regarded as worse than his suppression of the Cork Board of Guardians, whereby the people of that locality are deprived of their legitimate local representation.

*(10.36.) MR. SMITH-BARRY (Huntingdon, S.): I can state, as a member of the Cork Board of Guardians, that great surprise was felt at the fact that that body was not dissolved long before. The majority of that Board persistently, day after day, defied and defeated the ruling of the Chairman and the directions of the Local Government Board, which have been instanced by the right hon. Gentleman, and into the details of which I do not now propose to go. It is, therefore, perfectly untrue and inconsistent with the facts of the case to say

that the difficulty was occasioned by the obstruction of the Tory members of the Board. The *ex officio* and Conservative members of the Board used to go down for the purpose of doing the business of the Board, and whenever those members were in a majority, the business of the Board was done; but, on the other hand, whenever it was found that they were in a minority, obstruction went on, extraneous matters were introduced, the interests of the Union were neglected, the Conservative members found it necessary to withdraw, after the Chairman left the chair, and the meeting became a perfect bear garden. The result was, that it was utterly impossible to carry on the real business of the Board, and the ratepayers had to complain of the neglect of their interests. Now, however, under the new system, the rates are being reduced, the business of the Union is being efficiently conducted, and I have no hesitation in stating that, in the opinion of the majority of the ratepayers, and also of the Guardians, it was a great relief when the Board was dissolved.

MR. TUITE (Westmeath, N.): I desire to say, in reference to the non-appointment of Mr. Keogh, that I assume the reason is that he is a Nationalist, and the Chief Secretary has done his best to ruin him by driving him from his house and home, and now refuses to allow the Guardians to give him an appointment for which he is well qualified.

(10.40.) MR. CLANCY: We have just had from the hon. Member for South Hunts a very characteristic speech. I think if anything were wanted to show why the hon. Gentleman could not live comfortably in Ireland, and has been obliged to remove to England, it is to be found in the remarks he has just made. The most detestable character in Irish history is the anti-Irish Irishman, and more than once the hon. Gentleman has illustrated that character in this House. Whenever anyone is wanted in this House to throw dirt on Ireland, we may reckon with confidence on the assistance of the hon. Member for South Hunts. The hon. Gentleman has spoken of the opinions of the ratepayers of the Cork Union with regard to the action of the Cork Guardians. I should like to know what body of ratepayers the hon. Member represents in the Cork Union. The hon. Gentleman does not represent any portion of the ratepayers, and is obliged to fall back on his *ex officio* qualification, and even in that capacity he has been an absentee for the last two or three years. I have only risen to point out the character of the hon. Member's speech, and that of the hon. Gentleman the Member for Tyrone, in regard to which I must congratulate the right hon. Gentleman the Chief Secretary on the support or defence he has received to-night from his two jackals.

MR. LLEWELLYN (Somerset, N.): I wish to ask you, Sir, whether the hon. Member is in order in the remarks he is making?

THE CHAIRMAN: I think it would be better conduce to the conduct of business if the hon. Member would adopt a more moderate tone.

*LORD DUNSANY (Gloucester, Thornbury): I also rise to order; and I desire to ask you, Sir, whether it is in order for the hon. Member to characterise Members on this side of the House as jackals?

MR. CLANCY: I only referred to one hon. Member sitting on that side of the House. This is a more important matter than many people think. It is a question whether the representative system in Ireland is to be extinguished by an irresponsible Chief Secretary. The question is whether these Boards of Guardians are to be suppressed on the merest pretext or no pretext at all. The right hon. Gentleman has not pretended to answer the question whether the business has been left undone by the Board of Guardians. He gave an account of the business left undone on certain occasions, but he did not give a single instance of business left undone on the occasions when the Guardians were present. All the business was completed before the Board separated, and I think we are entitled to an answer from the right hon. Gentleman.

*(10.45.) MR. ROCHE (Galway, E.): I think what my hon. Friend has said is sufficient to explode the pretext of the right hon. Gentleman for suppressing the Board. I happen to have been Member of a Board of Guardians for 10 or 12 years, and on several occasions we could not get three members together to form a quorum. The consequence is that no business whatever was done, and I would like to know why we never heard any complaint from the Chief Secretary. It is idle for the Chief Secretary to say that the Local Government Board did not approve of Mr. Keogh's appointment, because he had not sufficient legal knowledge. Three months ago, a similar appointment was made by the Board of which I am a member. There were several candidates, and the successful one had never in his whole life occupied any position of the sort. He admitted that he had never kept books, and that he knew nothing whatever about the office for which he had become a candidate. I have no hesitation in saying that Keogh was refused, not because he was inefficient, but because he was an evicted tenant. At the head of the Local Government Board in Dublin is Mr. George Morris, who at one time happened to be agent on the property from which Keogh was evicted. Mr. Morris, in order to carry out the vindictiveness of his former master, refused Keogh the appointment. That is the real reason why he was refused. It is an extraordinary thing that no man in Ireland has the slightest chance of an appointment who has been imprisoned under the direction of the right hon. Gentleman. On a recent occasion we gave an appointment to a gentleman capable of filling any position. He is Chairman of the Loughrea Town Commissioners. The appointment was a small one, that of Registrar. The Local Government Board refused to sanction it because the newly-appointed Registrar had been in prison under the direction of the right hon. Gentleman. No later than this very evening, I have received notice that the appointment of rate-collector in my parish will be filled up to-morrow. About three weeks ago it was filled up, but the man, like Mr. Keogh and Mr. Sweeny, had been in prison, but the people honoured him, and the majority of the Board thought him best qualified for the position. Mr. Courtney, if I ceased to be a Member to-morrow, and applied for the rate-collectorship, which is only worth some £20 or £30 a year, my appointment would not be sanctioned by the Local Government Board. I would be told that I could not occupy that position because I had been in prison. That is the system which we object to in Ireland, and I think you will admit that we ought to resist it by every means in our power, and we are determined to resist it. I next come to the case of Mr. Timothy Clarke, of the Portumna Board. I brought the case before the House on a previous occasion. I asked the right hon. Gentleman whether Mr. Clarke was undergoing three months' imprisonment in consequence of having signed the Relieving Officer's book for relief to evicted tenants. You are aware that the law provides that evicted tenants shall be relieved for the four weeks immediately after their eviction. Mr. Clarke, acting in his capacity of Guardian, and in accordance with the rule, relieved these evicted tenants, with the result that the Local Government Board sent down an officer, and when auditing the books, he objected to every item of relief given to the tenants evicted from the Clanricarde Estate. The case of Mr. Ayre, a landlord, is different from that of Mr. Clark; but at the very time Mr. Ayre was proceeded against, another member of the Board, Mr. Timothy Kirwan, was proceeded against, and allowed to go scot free. They ceased to be members of the Board, as they were suspended by the right hon. Gentleman, not because they did not do their duty as guardians, but because they refused to allow the evicted tenants of Clanricarde to starve. The right hon. Gentleman then sent down two of his friends to do the duty at a salary of £500.

(11.0.) MR. T. M. HEALY (Longford, N.): I would ask the right hon. Gentleman whether he thinks it possible that any succeeding Liberal Administration will go on as this

Government have proceeded? Does he think the officials of the Local Government Board will act under a Liberal Government as they have done under his rule? The right hon. Gentleman may assert that it is impossible for any civilised country to be governed in a different manner; he speaks as if his system of law and order were like the car of Juggernaut. But may I suggest it is astounding how easily that great car of law and order is shunted into a siding when it suits his purposes. Suppose that under the next Liberal Administration it should occur that a member of a Board of Guardians gets up and proposes a vote of confidence in the hon. Member for Cork, does he think it probable that the right hon. Gentleman the Member for Newcastle will issue an Order the next morning suppressing that Board? It is not at all likely that such a thing would occur. The hon. Member for South Hunts has had the audacity to state that the people of Cork rejoiced at the dissolution of their own Board, because it had passed a resolution of confidence in their own local Member. I think it would be well for the hon. Member to be a little more modest in his ambition to have his name associated with the people of Cork. He is not entitled to speak for the ratepayers of Cork. Why, he would not be elected as a porter in the workhouse. That the people who elected the Member of Parliament, in whom the vote of confidence was passed, should rejoice that their Board was dissolved for passing this vote of confidence is rather too strong even for a Primrose League meeting in South Hunts. If the House of Commons was entitled to put on record its hatred for the Member for Cork, instead of attending to its business of voting Supply, why should not the Cork Board of Guardians, at exactly the same time, pass a resolution in a contrary sense, and declare their confidence in Mr. Parnell? It is a pity the House of Commons does not set a better example. If the hon. Member for Cork had not been so atrociously attacked by gentlemen connected with the *Times* newspaper, and by Mr. Pigott, it might be that the House of Commons would now be pursuing the even tenour of its way. But when the House of Commons declares itself to be entitled to enter upon its record such a Report as that of the Parnell Commission Judges, is it a wonder the Cork Board should feel itself justified in declaring its own opinion on the matter, which so seriously affected its own Representative in this House? Remember that this is the largest Board of Guardians in Ireland, and yet for simply passing a vote of confidence you suppress it, and appoint three paid Guardians to do the work of the Board, at the cost of £1,000 a year. The Irish Government ought to have some sense of proportion, because I maintain that a grosser case of absurdity has never been perpetrated, even by the Irish Local Government Board. I observed a case the other day in which an English School Board sat up all night, assisted by wine and sausages, in order to settle who should be chairman, but after sitting about a day and a half the question was settled by tossing, or some other British method of settling difficulties. Were they dissolved? Then there was the Metropolitan Board of Works, a spectacle for gods and men during many years. The Chief Secretary should remember that Irishmen have not received the training which has belonged to English Municipal Bodies since the days of Queen Elizabeth. What we object to is this irritating system of harassing Local Bodies all over Ireland. Let me give an illustration of this policy. For instance, the Local Government Board refused to sanction the appointment of Mr. Keogh as the master of the Athlone Workhouse simply because this man happened to be an evicted tenant, who, on the occasion of his eviction, was alleged to have committed a trifling assault on a policeman and to have resisted the Sheriff. But contrasted this with the action of the Government in the case of another man named Hewett, who was convicted of a most violent assault in the County Kildare, and who yet was considered a fit and proper person to be appointed as

a member of the Dublin Police Force. This irritating policy must be abandoned. It must no longer be the case that a policeman who fires a revolver shall escape scot free, while a Nationalist who commits a petty assault is to be pounced upon. And now I desire to say a few words with regard to the question of labourers' cottages and the action of the Privy Council. The Inspectors of the Privy Council are doing their best to prevent the Labourers' Act working successfully. I trust something will be done to meet the difficulties that have arisen.

THE CHAIRMAN: Order, order! The hon. Member is not entitled on this Vote to condemn the action of the Privy Council.

MR. T. M. HEALY: But I want something done to ensure that proper homes shall be provided for these miserable roofless families, and I would urge that the Local Government Board Inspectors should do all they can to promote schemes framed by Boards of Guardians under the Labourers' Act. The Local Government Board Inspectors are honestly endeavouring to do something for the poor people under the Labourers' Acts, but they are obstructed in their duty in a most heartless way by those above them. One of them, who tried to do his duty, was sent from the South of Ireland to Ulster, where not a single scheme for labourers' cottages has been set on foot. I submit further that if the Local Government Board had any ambition beyond that of suppressing Boards of Guardians, they would do something towards seeing that the Labourers' Act is carried out in Ulster. We sometimes have flash-in-the-pan Motions from the hon. Member for North Antrim to bring forward this matter, and to call attention to the remissness of the Local Government Board in not carrying out the Labourers' Act, but those Motions never get discussed. This is a matter which I submit the Government are bound to take into their consideration. I do not say that we in the province of Ulster have done what we ought to have done, but not one single scheme has been evolved. A scheme was put forward in Antrim, but what happened? The Guardians rejected it. And what did the Local Government Board do when appealed to? Nothing. I say that they would be well advised if in these days they went in for a little less clap trap and a little more administration—the working classes in Ireland would then be a little better off than they are. These poor labourers cannot now get elected. The House may be surprised to hear that the Queen's Bench decided a long time ago that a landlord in Ireland might cast 36 votes. What chance has a poor unfortunate labourer of getting elected as a Poor Law Guardian when he has but one vote? This House requires no qualification for election. If it did, probably some hon. Gentlemen we now see in this House would not be here, especially if it were an educational test. The Guardians in Ireland, so select must they be to deal with questions of outdoor relief and vaccine lymph that a high qualification test is imposed, but I contend, in the interest of the Irish labouring classes, that the Irish Local Government Board ought to exercise the powers that lie in them, and reduce the qualification. We did pass in this House an Act abolishing the qualification, but as soon as it got into "another place," that illustrious Assembly quickly burked the measure. The Local Government Board, however, have power to reduce the qualification, and I call upon them to do it. Let them give labour a chance of representation on the Boards of Guardians. With regard to the Portumna Union, I should like to ask a question as to the ill-treatment of the gentleman to whom reference has been made. Is it not an appalling thing that a man should get three months' imprisonment with hard labour for having signed a cheque in favour of an evicted tenant? He only signed the relieving officer's book, and I am wrong in saying that he signed a cheque. This system of relieving evicted tenants is legal. It seems that on the occasion in question a surplus sum was voted. There was no moral guilt, in fact it appears to have been altogether a

mistake. The Board of Guardians had previously been surcharged in connection with similar votes, and so long as a gentleman named Ayre, a Justice of the Peace for the county, was chairman of the Board the Local Government Board did not make him pay a penny. He was a Conservative; he signed the cheques—to his credit be it said that he was willing to vote money for evicted tenants—and no notice was taken of the matter. His successor, however, got three months' imprisonment for doing that which he had done with impunity. When attention is drawn to these different methods of dealing with the same offence, the answer is that Mr. Ayre when he signed the cheques did not know the law. Is that a valid excuse? Surely that is a most extraordinary confession for the party of law and order to make. And is it not an extraordinary thing that the lawyers should be so keen, and their wits should be so sharp when they have to deal with a Nationalist, and that they should be so dull and stupid when dealing with a Conservative. In the case of Mr. Ayre he said he could not find the amount of money he was surcharged, and when it was attempted by the Sheriff's officer to seize his goods a return of *nulla bona* was made. The Sheriffs are very friendly sometimes. I hope Mr. Ayre will not be dismissed from the Commission of the Peace, and I do not think he will, but if he were a Nationalist I wonder how long he would be allowed to sit in judgment on Her Majesty's subjects. I maintain that what has occurred in this case is a perfect scandal, and I ask the President of the English Local Government Board whether supposing the chairman of the St. Pancras Union had voted cakes and ale for his necessitous friends on the Board or any one else, he would have got three months' imprisonment for it? I say, certainly not, and I therefore ask, why should there be one law in Portumna and another in St. Pancras? Can anyone tell me if there is a single instance extant in England where people who have been surcharged have been sent to gaol for three months? I do not think so, and yet the Party opposite talk so much about sanctity of law and order. Another gentleman, Mr. Kerwin, was sent to gaol under similar circumstances for one month, and another, Mr. Clark, who was surcharged £20, had three months' imprisonment, which shows the lovely gradation of guilt which is in the minds of the Irish Magistracy. One gentleman got three months' imprisonment and another one month for the same moral offence. It was not because Mr. Kerwin and Mr. Clark could not pay the money that they were sent to gaol. It was because they would not. The Local Government Board does not pounce upon Mr. Ayre and his predecessors, but it does upon the Nationalists, to whom a vindictive punishment is meted out. Is that the way the Quakers were treated in regard to the tithe question—is that the way the anti-vaccinationists were dealt with in Leicester? When was the Leicester Board of Guardians last dissolved for not carrying out the Vaccination Acts? Is that Board dissolved? Have three paid noodles been sent down to Leicester to preside over the administration of the Poor Law there? You do not treat English Bodies in the way you do the Irish, and yet the latter are supposed to be happy, contented, and loyal. They are supposed to be contented and loyal under a system which tolerates a member of an Irish Board getting three months' hard labour for signing a relieving officer's book, and which at the same time allows a member of the English Board of Guardians to defy the law with impunity. I say such a thing is monstrous. When the Chief Secretary gets up and says—"We have defended the weak against the strong," I ask him, "Did you defend Clark or Kerwin, or Keogh; did you protect the weak in that case?" I say the right hon. Gentleman's assertion is all clap trap and nonsense. The reason I respect the right hon. Gentleman is for his intellectual qualities, and because I know that he never can for a moment believe in his own heart the statements which are put into his mouth by his officials. He thinks those stories are good enough for the Tory Party—and I quite agree with him in that, though I do not think that it takes much intellect to lead the Tory Party, or to convince them upon any point. I most

admire the way he can extract cheers from them by his statements about protecting the weak against the strong. His speech yesterday glided gracefully over all the ugly points he had to deal with, and then out came a volume of clap-trap about "protecting the weak against the strong," and "law and order," and he gracefully invited the Conservative majority to act as judges—moving the Closure at the end of all. That is the right hon. Gentleman's Irish policy. I would suggest to him that before he moves the Closure he would be good enough to tell us some of the facts in justification of his conduct in reference to the man Clark, and in reference to Kerwin and Keogh. I would ask him on the analogy of Ayre's treatment, and on the analogy of the action of the English Local Government Board, to defend his policy. This is a question of daily administration, and I ask him for facts and specific information in regard to the cases we have brought before him. I ask him to justify his administration. I ask him to let us know why, because he finds that Mr. Smith-Barry wishes it, the Cork Board of Guardians has been dissolved?

(11.45.) MR. A. J. BALFOUR: I will answer the questions put to me as far as I can. The man who was refused the post of master of a workhouse appears to have had no special qualification, unless being an evicted tenant is a qualification, and he was twice sentenced to imprisonment by the Magistrates.

MR. T. M. HEALY: What are the qualifications necessary?

MR. A. J. BALFOUR: Certainly not having been twice convicted and imprisoned. With regard to the cases of Clark and Ayre, Ayre was surcharged, and it was found impossible to proceed against him under that Act, and the next time another Act was used.

MR. T. M. HEALY: Never against Ayre.

MR. A. J. BALFOUR: It was on account of the experience of Ayre's case that another Act was used in the proceedings against Clark. There was no hard labour, and the sentence of two months' imprisonment was only imposed because the sum of £49 which was surcharged was not paid.

(11.47.) MR. T. M. HEALY: Will the House believe after that statement that it was on the very same day that Ayre was prosecuted that Kerwin was sent to prison?

MR. A. J. BALFOUR: The hon. Member is mistaken.

MR. T. M. HEALY: I am not mistaken. I was on the same day and before the same Magistrate in the same Court Room that Ayre was allowed to go scot-free and Kerwin was sent to gaol.

MR. A. J. BALFOUR: I said Clark.

MR. T. M. HEALY: I will not allow the right hon. Gentleman to sail off on a question of nomenclature. Ayre and Kerwin were summoned on the same day at the same Court, and the right hon. Gentleman says it was because the inadequacy of one Act was discovered that Kerwin was prosecuted under another. Sir, Mr. Disraeli used to say that the man who said he liked dry champagne would say anything, and I say that a Minister who would get up at that Table and make a statement that can be proved at the moment to be utterly unfounded, must be the most shameless Minister that ever disgraced an Administration. [*Cries of* "Order!"]

THE CHAIRMAN: The hon. and learned Gentleman must be aware that his language passes the decency of Debate. I must ask him to express some regret; to withdraw the insinuation he has made.

COLONEL NOLAN: He quoted Disraeli.

MR. T. M. HEALY: I had not the good fortune to catch every observation you made, Sir, but I take it you hold that it is not in order to say that a Minister who is capable of making a statement that can be proved on the moment to be without foundation is a shameless Minister. I, therefore, have no alter-

native but to withdraw the words. I maintain that a gentleman in the position of the Chief Secretary, who, at a moment like this, when his policy is challenged, can, in order to get a temporary advantage, and secure, it may be, the passage of a Vote, tell English gentlemen behind him, in ignorance of the facts as they necessarily must be—[*Ministerial cries of* "Oh!"] Which of you knows them? I would like to know did any English Conservative Member ever hear of these cases before to-day? Well, I say that the right hon. Gentleman made his statements recklessly. He did not care for their accuracy. He did not care to seek information. The question had been put to him time after time in this House, so that he could not say he was not seised with knowledge of the facts of the case. Well, I stated advisedly that these two cases occurred on the same day, and he, with the most reckless exercise of his powers of assertion, stated that it was because of the futility of the law in the one case, that the other defendant was not prosecuted under the same Act. I leave these facts to the judgment of the House. But I say that if it had been I, mere Irishman as I am, member of a race unworthy to hold any position in its own country, not being a long-descended man or connected with Dukes, or Lords, or other noble people of high descent, I would have been ashamed of myself, and if the right hon. Gentleman is not ashamed of himself, all I can say is I believe there are those of his own Party in the country who will be ashamed of him.

(11.54.) MR. A. J. BALFOUR: I do not in the least mean to add to the heat of the Debate. The very violent attack which the hon. Member has made upon me has been made on this ground. In reply to a question asked me by the hon. Member for Galway, I stated that the two persons concerned were a man named Clark and a man named Ayre. I also stated that the action with regard to Ayre preceded the action with regard to Clark, and that because the action with regard to Ayre failed, a new procedure was used with regard to Clark. For that I have been attacked in the language the House has heard. I will now take the liberty of reading to the House the question put to me by the hon. Member for Galway (Mr. Roche), and which first brought the matter under the attention of the House. [The right hon. Gentleman here read Mr. Roche's question.] I submit that by that question it is conclusively proved that the charge which the hon. and learned Gentleman has thought fit to bring against me is confuted out of the mouth of his own colleague.

(11.56.) MR. DILLON: I am not going to let the right hon. Gentleman get off in that way. I will show in a very few minutes that my hon. Friend the Member for Longford was perfectly correct in his statement. The right hon. Gentleman was asked to account for difference in the treatment of these two men, and he said that owing to the failure in Ayre's case a different procedure was adopted in Clark's case. What we say is, that this is not the truth, because on the same day on which Ayre was tried under one Act, another Nationalist named Kerwin was tried under the same procedure as was subsequently applied to the case of Mr. Clark. I think we have made out our case absolutely. It has been shown that what my hon. Friend contended is the simple and plain truth. We make a complaint. We receive an explanation respecting our complaint. We prove by the most complete and conclusive evidence that it is no answer at all, and that it is inconsistent with the real facts. We prove by the facts we have brought forward, and which the Chief Secretary has not attempted to deny——

Lord HENRY BRUCE rose in his place, and claimed to move, "That the Question be now put;" but the CHAIRMAN withheld his assent, and declined then to put that question.

MR. DILLON: We prove that the reason why a different Statute was used in Clark's case from the Statute used in Ayre's case was that Clark was a Nationalist, and elected, and that Ayre was a J.P. I am not in the least surprised

to see the noble Lord opposite endeavouring to close the Debate. That is the resource on which they fall back when the argument is going against them, and when they find they have not a leg to stand on. I want to put this question to the Committee, Do they think it a reasonable and just punishment, or a punishment that the law ought to allow, that——

It being Midnight, the Chairman left the Chair to make his Report to the House.

Resolutions to be reported upon Monday next.

Committee also report Progress; to sit again upon Monday next.

SUPPLY—REPORT.

Resolution [10th July] reported.

SUPPLY—CIVIL SERVICE ESTIMATES, 1890-91.

Class II.

"That a sum, not exceeding £3,164, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1891, for the salaries of the Household of the Lord Lieutenant of Ireland, and other Expenses."

Resolution agreed to.

FISHERIES (IRELAND) BILL.—(No. 43.)

SECOND READING.

Order for Second Reading read.

(12.5.) MR. T. W. RUSSELL (Tyrone, South): This Bill has been on the Paper almost from the beginning of the Session, and has never been printed. I wish to ask if Members are to be kept here night after night watching a Bill which has not been printed?

MR. T. M. HEALY: If it is of any convenience to the hon. Member I will move the Second Reading.

DR. TANNER: The Member in charge of the Bill is not present.

(12.6.) MR. BARTLEY (Islington, N.): As a point of order, Sir, may I ask whether a Bill can be read a second time without having been printed?

*MR. SPEAKER: It would not be out of order, but there are strong objections to it.

MR. T. M. HEALY: I would point out that some Acts have been passed into law without ever having been printed, such as the Bill relating to the naturalisation of Prince Henry of Battenberg.

Second Reading deferred till Friday next.

MOTION.

POST OFFICE MAIL CONTRACT (WEST INDIES.)

(12.8.) Motion made, and Question proposed,

"That the Contract dated the 15th day of May, 1890, with the Royal Mail Steam Packet Company, for the conveyance of mails to the West Indies, be approved."—(*Mr. Secretary Jackson.*)

MR. T. M. HEALY: I think we are entitled to some explanation of this.

*THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): The new contract provides for an accelerated service, and provides for alternative port of call and for a diminished payment of £5,000 a year. It has been submitted to all the Colonies concerned, and has been approved by them.

(12.9.) MR. CONYBEARE (Cornwall, Camborne): I should like to ask the right hon. Gentleman what is the rate of steaming contracted for; whether the contract provides for the acceleration of steaming under new and improved machinery, and how long the contract is to last?

*(12.10.) MR. JACKSON: The minimum rate provided for is 13 knots an hour on the main line. Attention has been paid to the points he has raised. I would point out that the best security we can have is that this is an important Company, working in competition with other companies, and that it is to its own interest that the service should be efficient. Under the late contract the Company was at the end performing the service in less time than the contract specified. I have no doubt that they will keep pace with the times, and will perform the contract even in less time than is specified.

Question put, and agreed to.

House adjourned at a quarter after Twelve o'clock, till Monday next.

HOUSE OF LORDS,

Monday, 14th July, 1890.

DEEDS OF ARRANGEMENT BILL.
(No. 106.)

Returned from the Commons with the Amendment agreed to.

WESTERN AUSTRALIA CONSTITUTION BILL.—(No. 184.)
SECOND READING.

Order of the Day for the Second Reading, read.

*THE SECRETARY OF STATE FOR THE COLONIES (Lord KNUTSFORD): My Lords, the Bill of which I ask your Lordships to grant a Second Reading is, with the exception of two clauses, which have been omitted, to which I shall soon call your attention, the same as that which your Lordships passed last year. The Bill went down to the House of Commons, but, owing to the lateness of the period of the Session, to the pressure of business, and to the threatened opposition on the ground that sufficient land was not reserved for the control of the Crown, Her Majesty's Government, though with regret, were unable to proceed with the Bill, and they withdrew it, on the pledge that it should be brought in at an early period this Session, and then referred to a Select Committee, who should thoroughly consider and thresh out all the different questions arising upon the Bill. That pledge was redeemed, the Bill was read a second time, and was referred to a very strong Select Committee, who went most fully and thoroughly into all the matters that were brought before them. They had the advantage of hearing a considerable body of evidence, and amongst the witnesses who gave evidence before them were included the late Governor, Sir Frederick Broome, the future Governor, Sir William Robinson, who has already once administered the Government of the colony, and they also had the advantage of the evidence of two delegates from the colony, men of high standing and position, who were members of the Legislative Council, and were chosen from that Body to give evidence before the Committee, and to state the views of the Colonial Government. I think I need only now call your Lordships' attention to the two clauses which were, by the decision of the Committee, a decision subsequently approved by the House of Commons, omitted from this Bill. They were Clauses 4 and 8. By Clause 4 your Lordships will remember the control and management of land to the north of the 26th parallel of latitude was reserved to the Crown. The reasons why I pressed upon the colony this reservation, in spite of their wishes to the contrary, were embodied in a Despatch dated December 12, 1887; and perhaps your Lordships will allow me to read a passage from it. In that Despatch I pointed out that—

> "Representations have been already made to Her Majesty's Government urging that the northern portion of the Colony should not be placed under the unrestricted control of a Legislature elected by the present small population residing, for the most part, in the Southern districts. It might, therefore, not improbably happen that a measure for giving effect to the Resolution of the Legislative Council might not receive the assent of Parliament, and the wishes expressed in the colony would thus be frustrated."

I am free to admit that it seemed to me that the principle of granting responsible self-government to this colony was so important that I was ready to adopt any measure, not unreasonable in itself, which would disarm opposition. The restriction, as I stated last year in this House, did not appear to be unreasonable, though, as I also added, I personally did not believe there would be any danger that the land would be wasted or mismanaged. My chief reason for so thinking may be shortly stated as follows: It may be admitted that what Sir Charles Dilke calls "the noble dowry" which we gave to the colonies when we handed over to them the control of all their land, has been somewhat wasted and mismanaged. It may be admitted that the best mode of dealing with land for the benefit of the colony was not thoroughly understood, and could only be gained by experience; and that out-and-out sales of land at low prices no doubt did cause loss to the community and waste. But to those who find fault with Her Majesty's Government for handing over the control of so much land to the responsible Government, and who urge upon us that we ought to

profit by the experience gained in the past, I would answer that if we look back to the history of the land question and of land management in these Australian colonies we shall find that the waste and mismanagement of land mainly took place in the earlier years of the life of these colonies, and when the land was under the control of the Crown, and before responsible Government was conceded. Since responsible Government has been given to the colonies, the Colonial Government have, with more or less success, improved the land system which previously prevailed, and they have largely diminished the waste resulting from such system. At all events, Western Australia has profited by the experience gained in the other colonies, and the Rules and Regulations which have been passed in that Colony for the management of the land are eminently calculated to favour emigration; the creation of agricultural areas; and the cultivation by small settlers occupying the land. The evidence given before the Committee in favour of this view, and also of some practical difficulties which would arise in the management of the lands in the northern district if reserved to the Crown, to which, perhaps, I had not given full weight, was so clear that, without a Division, they agreed to the omission of this fourth clause. This view, I may add, is in entire accord with the opinion of one who was most competent to form an opinion upon this point and one whose loss we so deeply deplore—I refer, of course, to Lord Carnarvon; and perhaps, in passing, your Lordships will allow me to say a few words in addition to those which Lord Rosebery spoke on Thursday last. Lord Carnarvon twice held the office of Secretary of State for the Colonies with dignity and with honour to himself and with great advantage to the colonies. I had the honour of twice serving under him when he was Secretary of State, and I can, therefore, speak undoubtedly and with certainty of the entire devotion that he gave to his work and the ability with which he administered that office. I can also speak of the great respect and esteem, I had almost said the affection, with which he was regarded by the colonists; and I can assure your Lordships that his death will be most deeply regretted by thousands of our fellow-subjects in all parts of Her Majesty's possessions. Lord Carnarvon said last year that if you give responsible Government to the colonies you must be prepared to give the Crown lands with it, and he very much doubted the desirability—and I rather think the noble Earl opposite rather doubted the desirability—of the reservation which, for the reasons I have stated, I thought it well to insert in the Bill of last year. There was one argument advanced—I think by the Earl of Derby—in favour of our reservation of land, which, no doubt, had weight. He pointed out that in his opinion the reservation of land north of the 26° parallel would materially simplify and facilitate the creation of a separate colony in the northern portion of the territory, which he then anticipated must take place in a few years. There would be considerable force in that view if it was likely that the separation would be so shortly effected. But the evidence given before the Committee distinctly pointed to this: that it must be many years before that separation can take place, if ever; and I would add that the great movement in the Australian Colonies towards federation has also, I think, militated against the chance of the northern portion of the colony being separated from the southern, and made into a separate colony. At all events, my Lords, I think that the matter has been most thoroughly examined into by the Committee; and, for these reasons, I trust your Lordships will not think fit to dissent from the omission of the fourth clause. With regard to the other clause (Clause 8), which provided that any Bill restricting emigration should be reserved for Her Majesty's pleasure, the omission of that clause was only decided by a majority of two in the Committee; but Her Majesty's Government decided that they would take the sense of the House of Commons on the matter and abide by their view of this clause; and, after Debate, the House of Commons affirmed the omission of the clause without, I think, a Division. I myself entirely concur in that decision, and I think the evidence that was brought before the Committee showed three things: first, that upon the introduction of responsible Government into a colony emigration has always increased, and that the increase has continued for many

years; secondly, that the Colony of Western Australia has been one of the Colonies which has been most ready to promote immigration, and most desirous to secure emigrants; and, thirdly, that this feeling in favour of immigration will be certainly increased and not diminished, because, as Lord Derby observed last year, every immigrant who enters Western Australia will be regarded as an addition to the wealth, the resources, and the development of the country. This being the case, it seemed to me unnecessary to retain this clause, and undesirable if unnecessary, because in no other case where responsible Government has been granted to a colony has such a clause been inserted. It has been admitted in both Houses that this Bill is of vital importance to the Colony of Western Australia, and I may add that it is most strongly supported by the other Australian Colonies. I trust, therefore, your Lordships will grant it a Second Reading.

Moved, "That the Bill be now read 2ª."—(*The Lord Knutsford.*)

THE EARL OF KIMBERLEY: My Lords, I wish simply to say that I am extremely glad the Bill has come to us in this shape. I think it is a decided improvement on the Bill of last year. With regard to the control of the Crown over the land, I will not again go over what the noble Earl has already stated. My opinion was last year as it is now, that it was entirely unnecessary and very impolitic to introduce the restrictions which the Bill of last year contained. The evidence given before the Committee of the House of Commons has shown very clearly what the feeling in Western Australia is on the subject; and even if I were of opinion that there was some particular advantage to be gained from such a restriction, I should still strongly deprecate our introducing restrictions of that kind in face of the feeling in the colonies generally. With regard to the other matter of emigration, I may venture to say the same thing as was said last year, namely, that it is entirely an illusion to suppose that the Colony of Western Australia will not favour emigration. On the contrary; for a long time they must look to immigration for their progress. When the time arrives for the Colony of Western Australia to have a large labouring population and a system of manufacturing industries like Victoria it may so happen that a feeling will grow up against the introduction of immigrant labour to compete with the labouring population of the colony. But if that time should come, and if that feeling should grow up, as it has grown up in other places, I feel perfectly certain that it would be impossible for Parliament or Government to interfere in the matter to override the feeling of the colony, and that such a clause as that in the Bill of last year would not in the least strengthen the position of the Government of the day. I therefore strongly approve of the alterations which have been made in the Bill, and am very glad to find that it now meets not only with the approval of the Government and the Party who support it, but also with the approval of many who think with me here and in the other House.

*LORD NORTON: My Lords, as one who for a very long time was much engaged in what I may call the restoration of our colonial policy, I desire to address a few words of congratulation to the Secretary of State for the Colonies on his successful conduct of this Bill. Rome, the mistress of Empire in the old world, certainly did not show much acquaintance with the details of her distant provinces. The Romans, no doubt, cared little at home for the details of distant administration. I fancy a Roman senator troubled himself very little about the government of Dacia. But it did astonish me that legislators in England, the greatest modern mistress of Empire, should, in dealing with a matter of this sort, show so little acquaintance with the subject, as was shown in the Debates in the other House, and even in the Committee on the Bill. We do not make dependencies, as the Romans did, in distant parts of the world; we make extensions of Empire, settlements of fellow-subjects as free and with precisely the same rights as those at home. When I saw, both in the Debates of the other House and even in the Select Committee, the matter was discussed by many as if Western Australia was a Crown Colony, and as if they were not aware that this Bill only developed a Representative

Government into a Responsible one, I was not surprised to hear the waste lands of the colony talked of as the patrimony of our people at home, and as if the right of dealing with waste lands was not just as much vested in the Government there as the right of dealing with common lands was vested in our Parliament here in England, both Governments being under the one Sovereign. I am, therefore, extremely glad that any restriction upon their perfect control of their own waste lands has been removed from the Bill; and I think, also, that the fears that the colony will pass Acts restricting English immigration, and that they may ill-treat the aborigines smack of the old Mother Country colonial policy, which for a time overlaid the free and successful colonisation by England of her earlier colonies. I can only say that I think now that the Bill as it has passed, almost, but not quite, free from those blots in the first Bill, does meet the wishes of the colonists, and does recognise the rights of responsible Government in Australia, besides consulting the best interests of the country at home. The Bill itself is, I think, exactly in the right shape, and not something in substitution for the Constitution drawn up by the colonists themselves. I, therefore, as one who has for a long time been engaged in the subject, do offer my hearty congratulations, and I consider that our thanks are due to the noble Secretary of State for the Colonies for the service he has done in conducting the passage of this Bill through Parliament to so satisfactory a conclusion.

On Question, agreed to.

Bill read 2ª (according to order), and committed to a Committee of the whole House on Thursday next.

RURAL POST OFFICE APPOINTMENTS.

QUESTION—OBSERVATIONS.

*Lord STANLEY of ALDERLEY, in rising to ask Her Majesty's Government if they could not arrange for rural Post Office appointments being made by the General Post Office instead of by the Treasury and the County Members, said: My Lords, although recent events might suggest that this is a fitting time to ask Her Majesty's Government to in some measure free the General Post Office from the incubus of the Treasury, I will on the present occasion confine myself to a minor point. It is now the practice that if a vacancy occurs in a country Post Office the Treasury are first communicated with; the Treasury then ask the County Member to nominate someone. Very often the County Member may not be acquainted with the circumstances of the case, of what the requirements may be, or suggest a really fitting appointment. Moreover, since the Secretary of the Treasury has been deprived of his patronage, and as patronage in general has been abolished by competitive examination, it is no use taking away the substance and preserving the shadow by giving to the County Members these small appointments. As I have said, the County Members are very often really unacquainted with the circumstances of the place; they may even reside at a great distance from it, and they are liable to give the appointments to some supporter of their own without regard to qualifications or circumstances. In addition to these hypothetical objections to the present system, I may as well give your Lordships instances from my own experience. Some years ago in a village in Cheshire there was no Post Office. I asked for one to be established. At the same time, I put up a small building in the centre of the village which I intended to be used for the Post Office. For some time I heard nothing more about the matter, and at last it turned out that the Post Office had been established in some other less convenient place, and the building has now been let for the purposes of the County Constabulary. The man who holds the Post Office is now desirous of throwing it up. I have been asked to build another house, but I declined, as I did so once, and no notice was taken of it in consequence of these Treasury and Post Office arrangements." It would, in fact, be useless for anyone to build a house for a Post Office unless he is tolerably certain by communication with the Post Office through their Inspector that the house will be made use of. I will mention another case which occurred many years ago. A County Member wrote to me saying, "Your Post Office is vacant; I know nothing about it myself; tell me whom you recommend." I wrote back

to him: "Please do not move until I settle it with the General Post Office." I then wrote to Sir John Tilley and said, "Why is this Post Office vacant? I think I ought to have been consulted first." He answered that "it was vacant because the person who was appointed to it had never gone there." I said it "had been managed by his sister, and had never been better managed; and the person appointed did not wish at present, for family reasons, to leave the neighbouring town; that his father and grandfather had long been supplying contracts for the Post Office, and did not deserve such summary treatment, and I asked to have things left as they were." But supposing this County Member had not been an acquaintance of mine, he might have appointed somebody else, and then there would have been an unnecessary complication. I hope, therefore, Her Majesty's Government will arrange that in future the General Post Office, through their Inspectors, will manage these matters and make the appointments. I can only speak of the Cheshire and North Wales district, but I wish to say that the Postmaster General and his Inspector have introduced a good many reforms, and if the rest of the country is equally well served, the people should be very well satisfied.

*THE PAYMASTER GENERAL (The Earl of JERSEY): I am sorry for my noble Friend's experience in his dealings with respect to this Post Office. However, I can only say that I do not think that is everybody's experience. I do not think it will be necessary for me to follow the noble Lord through the history of his dealings with the Post Office; but I may tell him that the present system has been in vogue for a long time. Still, some representations have been made to the Treasury on the subject, and they are carefully considering what they will do in the matter.

INFECTIOUS DISEASE (PREVENTION) BILL.—(No. 117.)

Amendments reported (according to order); further amendments made; and Bill to be read 3ª To-morrow.

INLAND REVENUE REGULATION BILL.—(No. 166.)

Read 3ª, and passed.

COMMITTEE OF SELECTION FOR STANDING COMMITTEES.

Report from, That the Committee have added the Lord President (*V. Cranbrook*) to the Standing Committee for General Bills for the consideration of the Sheriffs (Assizes Expenses) Bill; read, and ordered to lie on the Table.

House adjourned at five minutes before Five o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 14th July, 1890.

QUESTIONS.

LIGHTHOUSES ON FAIR ISLE.

MR. LYELL (Orkney and Shetland): I beg to ask the President of the Board of Trade whether the work of erecting lighthouses on Fair Isle has begun; what is the present state of the works; and when it is expected that the buildings will be finished and the lights shown?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I understand from the Commissioners of Northern Lighthouses that the contractors whose tender was formally accepted on the 23rd ultimo are now actively engaged in preparing material and arranging for the shipping of it, and expect to commence operations on the island before the end of this month. The erection of the lights will be proceeded with as quickly as possible, having regard to the difficulties of communication with the island.

EGYPTIAN WATER SUPPLY.

MR. SUMMERS (Huddersfield): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been called to the Report of M. Prompt, Administrateur des Chemins de Fer Egyptiens, submitted to the Egyptian Government on 27th February, 1890, in which he states that, if a railway were made from Khartoum to the Red Sea, and were maintained in working order, the effect would be to stimulate the

Soudanese to increased cultivation, and thereby to materially diminish the supply of water available in Egypt; whether he is aware that in 1889, during the month of July, only from 15,000,000 to 17,000,000 cubic metres of water reached the Delta daily, although 25,000,000 metres are required for existing areas; whether this year the cultivation of rice has been suspended in favour of cotton; and whether he will cause to be printed and circulated to Members copies of any maps, diagrams, or documents bearing upon this subject illustrating the proposed area which it is proposed by M. Prompt to develop and colonise as the result of the scheme recommended by him, and of any papers or maps relating to the Raiyan-Moeris storage reservoir and escape canal projected by Mr. Cope Whitehouse?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): Her Majesty's Government are in possession of M. Prompt's scheme, but have not been informed of the estimates referred to in the second and third paragraphs of the question; and they do not deem it proper to submit to Parliament projects which it rests within the discretion of the Government of Egypt to adopt, if they see fit to do so.

INTERDICTED MEETING AT WISHAW.

MR. PHILIPPS (Lanark, Mid): I beg to ask the Lord Advocate whether he is aware that the Magistrates of Wishaw prohibited an open air meeting proposed to be held at the Cross at Wishaw on 2nd June, and instructed the Constabulary to prevent the meeting from being held; and whether he can state the nature of such interdicted meeting; and under what Statute it was so prohibited?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): My attention was called to this matter by the question of which notice was given by the hon. Member for Northampton. The facts appear to be as stated in the first paragraph. The object of the meeting, as described in the posters calling it, was, "Resistance of Compensation. The Duty of the Hour." I am informed that the Magistrates, who are the elected police Magistrates of the burgh, had no apprehension of disturbance, and that this interference was in no way actuated by the nature or objects of the meeting, or the conflicting opinions of any sections of the community. They acted solely because the place proposed was a part of the streets where, in their judgment, a large public meeting could not be held without the ordinary traffic of the streets being interfered with and danger of accident arising. The place called the Cross is simply the point of intersection of two narrow streets, and even the normal space was at the time curtailed by a hoarding erected for some building operations. The Magistrates acted in what they held to be their Common Law duty to prevent obstruction in the streets, and they had also in view Section 248 of the General Police Improvement (Scotland) Act, 1862. I am informed that there is a park at a short distance from the Cross, where meetings can be held without inconvenience to anyone, and in the present instance the promoters, protesting against the action of the Magistrates, adjourned to the Good Templars Hall, and there held their meeting.

MR. PHILIPPS: Has the right hon. Gentleman seen the interdict by which the meeting was prevented, and the notice which was served upon the Chairman? The notice prohibited the holding of a meeting in the open air at the Cross, or in any of the public streets of the borough. Is there anything in the Act of 1862 which gives to the Magistrates such wide authority as that; and, if not, under what authority do they act?

MR. J. P. B. ROBERTSON: The primary object was to prevent the meeting being held in a particular place. The place was narrow, and the Magistrates were of opinion that the holding of a meeting there would obstruct the traffic. I do not think that the interdict involved any deliberate intention on the part of the Magistrates to interfere with the right of meeting unless a danger to the traffic arose.

MR. PHILIPPS: Would not the ordinary course be to allow the meeting to be held and to remove any persons creating an obstruction?

MR. J. P. B. ROBERTSON: The Magistrates might have taken the course suggested by the hon. Member and waited until the streets were obstructed before they interfered. But they gave

persons the option of going to the meeting or refraining from doing so.

MR. PHILIPPS: Why do they say that the meeting would have created an obstruction? [*Cries of* "Order!"] Surely I am in order in pressing the right hon. Gentleman for the authority under which the Magistrates acted?

MR. J. P. B. ROBERTSON: I am not prepared to give the authority. The primary duty of the Magistrates was to preserve the peace.

MR. PHILIPPS: I beg to give notice that I will put a further question to the right hon. Gentleman on the subject.

MR. LABOUCHERE (Northampton): May I ask whether the right hon. Gentleman intends to lay down the principle that a legal meeting becomes illegal from prohibition by the Magistrates?

MR. J. P. B. ROBERTSON: I do not intend to lay down any principle of the kind. What I hold is that the Magistrates were quite within their rights in letting the inhabitants know that they would prevent people from standing about and causing an obstruction.

THE ESSEX MILITIA.

MAJOR RASCH (Essex, S.E.): I beg to ask the Secretary of State for War whether he can explain why the Essex Militia (3rd Battalion) was assembled at Warley, and sent by train to Colchester and back to Warley, and why the 3rd Battalion did not occupy the camp recently vacated by the 4th Battalion; and what object is gained by the expense involved in sending tents and camp equipments for 700 men from Colchester to Warley and back for the 4th Battalion, and sending the 3rd Battalion from Warley to Colchester and back, instead of occupying the camp at the place of assembly?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The object gained was the instruction of the 3rd Battalion in a large camp with regular troops. The original arrangement for this year was that the 3rd Battalion should train at Colchester Camp, and the 4th Battalion in barracks at Warley, but the drainage at Warley Barracks was found to require attention, and the 4th Battalion was, therefore, encamped at Warley. This was not considered a sufficient reason for depriving the 3rd Battalion of the valuable instruction arranged for it at Colchester.

MAJOR RASCH: In consequence of the answer of the right hon. Gentleman I beg to give notice that I will call attention to the matter on the Transport Vote, and move a reduction.

HALL MARKING.

MR. BRADLAUGH (Northampton): I beg to ask the Chancellor of the Exchequer whether he has received any communication from the India Office or from the Viceroy of India on the subject of Hall Marking; and whether he can now make any statement thereon?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): No, Sir; I have not received any communication from the India Office or from the Viceroy on the subject of Hall Marking.

MR. BRADLAUGH: Has the right hon. Gentleman any means of knowing whether such communications have reached the Secretary of State, because my information is that they have?

*MR. GOSCHEN: I made inquiry, and was informed that none have reached. I will make further communication. The matter is a complicated one, but I have no doubt that I shall receive some communication soon.

INDIAN COUNCILS BILL.

MR. BRADLAUGH: I wish to ask the First Lord of the Treasury to what day he intends to postpone the Indian Councils Bill?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The Indian Councils Bill will stand over until Monday next.

THE NAVAL MANŒUVRES.

MR. GOURLEY (Sunderland): I had intended to ask the First Lord of the Admiralty about what time he intends holding the forthcoming Naval Manœuvres; how many and what type of ships are to be mobilised, and whether it is correct that the date has been postponed owing to many of the vessels having to be longer under repair than anticipated; and whether, with the large addition to the Navy of ocean cruisers, he will consent to extend the scope of the experimental operations to the protection of the leading food and cotton ocean

routes, notifying to commanders of British shipping that they will be expected to avoid, as far as practicable, nominal capture by hostile experimental cruisers? As the noble Lord is not in his place may I ask the First Lord of the Treasury, if he can answer the question?

*MR. W. H. SMITH: No, Sir; I have no information.

ST. OLAVE'S BOARD OF GUARDIANS.

SIR THOMAS ESMONDE (Dublin Co., S.): I beg to ask the President of the Local Government Board whether complaints have reached him that the St. Olave's Board of Guardians only visit the workhouses under their care once a fortnight; and, if so, whether the Local Government Board will see that the order directing Guardians to visit such houses once a week is carried out in future by this Board?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I have not received any complaint as to the times when the workhouses of the St. Olave's Board of Guardians are visited by the Visiting Committee. I will communicate with the Guardians on the subject.

SEVERE SENTENCE.

MR. PHILIPPS: I beg to ask the Lord Advocate whether he is aware that two men named Edward Marshall and Charles M'Gill have been sentenced by Sheriff Balfour to a fine of £5 or 14 days' imprisonment for killing one rabbit; and whether he will cause inquiry into the matter with a view to the mitigation of this sentence?

*MR. J. P. B. ROBERTSON: The attention of the Secretary of State has been drawn to this case, and inquiry is being made.

TRINIDAD.

MR. GILLIAT (Clapham): I beg to ask the Under Secretary of State for the Colonies whether his attention has been called to the fact that Mr. G. F. Bowen has been removed from the post of chief clerk and accountant in the Receiver General's Office, Trinidad, where he was in receipt of a salary of £400 a year; that his post was amalgamated with a lower one, and the united office was given to a junior two grades below him in the same Department during his absence, no hint of such intention having ever been given to him until it was done; can he explain why no reason has ever been assigned for passing him over, and that a copy of the Correspondence regarding it was refused; whether the Receiver General is correctly reported to have stated to the Legislative Council that Mr. Bowen was "about to retire," and on what authority he made this statement; whether he is aware that Mr. Bowen was reduced, at less than a month's notice, from a salary of £400 a year to a pension of £180, and that, after waiting for more than a year, the Governor's ultimatum on the subject is a post at £100 a year, with which His Excellency trusts Mr. Bowen will be content; and whether he can see his way to recommend the reinstatement of Mr. Bowen in a post which, with his pension of £180, may give him the equivalent of the salary of £400 of which he has been deprived?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): In 1889, as part of a scheme of re-organisation of the Department of the Receiver General in Trinidad, which was approved by the Secretary of State, the office of chief clerk and accountant, held by Mr. Bowen with a salary of £400 a year, and the office of savings bank accountant, the salary of which was £350 a year, were amalgamated into one office, with a salary of £450 a year, which was conferred upon the savings bank accountant, Mr. Bowen being pensioned off. Mr. Bowen was absent on leave when it was decided to abolish his office. He was informed on the 14th March, 1889, of the intention to abolish it, and the abolition took effect on the 1st of May. The reason for not appointing Mr. Bowen to the amalgamated office was that the appointment of the other gentleman was considered more conducive to the efficiency of the Department. It was not considered desirable to furnish him with a copy of the Correspondence. I am unable to say whether the Receiver General is correctly reported to have made the statement referred to in the third paragraph of the question, or, if he made it, on what authority he did so. Mr. Bowen's

income was reduced from a salary of £400 to a pension of £180. The Governor has been instructed to give him, if possible, another appointment, and I believe Sir W. Robinson has done his best to re-employ him. The salary of the post now offered to him is £150. The Secretary of State hopes it may be possible to find Mr. Bowen a suitable post, the salary of which will raise his income to its former level.

ARMY RETIREMENT.

MR CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the Secretary of State for War if he will state to the House the number of Majors, Lieutenant Colonels, and Colonels who have been re-called to duty under the age of 55 after their retirement in accordance with the Royal Warrant of December 1886, which empowers him to do so?

*MR. E. STANHOPE: No retired officer has yet been re-called to serve, the occasion contemplated in the Royal Warrant not having arisen.

INFECTIOUS DISEASES ACT.

COLONEL EYRE (Lincolnshire, Gainsborough): I beg to ask the President of the Local Government Board what is the number of sanitary districts, urban and rural, in which the Infectious Diseases (Notification) Act, 1889, or similar Private Act, has been adopted; whether he has any Reports to show; what is the effect so far, whether beneficial or not, to the public health; and whether it works without friction to the parties interested?

*MR. RITCHIE: The Infectious Diseases (Notification) Act, 1889, has been adopted in 481 urban sanitary districts, 337 rural sanitary districts, and 18 port sanitary districts. The Act is in force throughout London, without adoption. Compulsory notification is also in force under local Acts in 56 other districts. The population, according to the Census of 1881, of the districts where there is a system of compulsory notification in force is 19,316,000, the total population of England and Wales being 25,974,000. I have no special Reports on the subject, but I have no doubt whatever that the notification of infectious diseases will have results beneficial to the public health, and I am glad to say that the arrangements have worked to a remarkable degree without friction.

THE METROPOLITAN POLICE.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.): I beg to ask the Secretary of State for the Home Department if the regulation of the expenditure of the Metropolitan Police rests with himself alone now that the Imperial contribution is permanent and not annually voted; and if all increase of expenditure sanctioned by him is put on the rates of the Metropolis without any sanction either of the House of Commons, representing the ratepayers, or the representatives of the ratepayer?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam): It is difficult to answer, otherwise than in debate, this somewhat argumentative question. Technically, the sum formerly payable as an Imperial contribution no longer appears on the Votes; but an effectual opportunity for Parliamentary criticism is afforded by the fact that the Vote "Police, England, and Wales" still bears the salaries of the Commissioner and Receiver, as well as such other portions of Metropolitan Police expenditure as are repayable from Imperial funds. The control of the ratepayers and the powers of the Secretary of State are neither greater nor less than they were when the Imperial contribution did appear as such upon the Vote. As the law now stands the Secretary of State cannot increase the charge on the ratepayers beyond the statutory maximum of 9d. in the £ of the rateable value of the district. The accounts of Metropolitan Police receipts and expenditure are, by Act of Parliament, fully published to this House every year.

SIR G. CAMPBELL: What is the present expenditure? How many pennies in the £?

MR. STUART WORTLEY: Not very far from 9d.

ASHTON-IN-MAKERFIELD CHURCHYARD.

MR. CALEB WRIGHT (Lancashire, S.W., Leigh): I beg to ask the Under Secretary of State for the Home Department whether he is aware that in the parish of Holy Trinity, Ashton-in-Maker-

field, Lancashire, it is intimated that a breadth, or grave, in the churchyard is appropriated "only on condition that no other than the Church of England Service is ever used"; whether this is in accordance with the provisions of the Burial Act of 1880; and, if not, whether steps will be taken to prevent such a limitation of the rights of parishioners?

MR. STUART WORTLEY: The Secretary of State has communicated with the incumbent, who states "that in every case the provisions of the Burial Act of 1880 have been loyally and faithfully carried out." It may, therefore, be inferred, though the question is not specifically answered, that no such intimation as is referred to can have been given. I may add that such an intimation would not, in the opinion of the Secretary of State, be consistent with the object and provisions of the Act of 1880.

THE LIFE SAVING APPLIANCES ACT.

DR. CAMERON (Glasgow, College): I beg to ask the President of the Board of Trade whether his attention has been called to a statement adopted by a meeting of steamship owners, held in Glasgow on the 8th instant, setting forth the unsuitability for the cases of coasting, river, and short sea excursion steamers of the "Rules made by the Board of Trade under 'The Merchant Shipping (Life Saving Appliances) Act, 1888,'" presented to Parliament on the 10th ultimo; whether similar representations have been made from other ports; and whether he will consider the propriety of modifying the rules, with a view of meeting the objections raised?

MR. CHARLES WILSON (Hull, W.): I beg also to ask the President of the Board of Trade whether it is the intention of the Government to enforce the Life Saving Appliances Rules in respect to the coasting, Continental, and short over-sea trades, in spite of the objections raised by the shipowners interested, these objections being fully explained in a statement transmitted to Members of Parliament from a meeting held at Glasgow on the 8th July; and whether he will receive a deputation to consider the objections of the shipowners interested?

*SIR M. HICKS BEACH: My attention has been called to the statement referred to by the hon. Members and also to others of a similar nature, and I have carefully considered the representations made. It must be remembered that the Rules in question have been prepared by a Statutory Committee appointed under the provisions of the Merchant Shipping (Life Saving Appliances) Act of 1888. That Committee consisted of three shipowners selected by the Council of the Chamber of Shipping; one shipowner selected by the Shipowners' Associations of Glasgow, and one shipowner selected by the Liverpool Steamship Owners' Association and the Liverpool Shipowners' Association conjointly; two shipbuilders selected by the Council of the Institution of Naval Architects; three persons practically acquainted with the navigation of vessels selected by recognised Shipmasters' Societies; three persons being or having been able-bodied seamen selected by recognised Seamen's Societies; two persons selected conjointly by the Committee of Lloyd's, the Committee of Lloyd's Register Society, and the Committee of the Institute of London Underwriters, Mr. T. H. Ismay acting as Chairman. The Act of 1888 was the result of the recommendations of a Select Committee of this House presided over by Lord Charles Beresford, and the special representations which have been made from Glasgow and other places are in opposition to the Report of that Committee, which recommended that in one form or other, life saving provision should be made for all persons on board a vessel. The Statutory Committee, to the composition of which I have referred, in the first instance recommended rules of rather greater stringency than those now before the House. But at the instance of the gentlemen from Glasgow and others whose representations have now been received, I called Mr. Ismay's Committee together a second time, in order that they might consider the very points now raised, and after an exhaustive re-consideration of the case, they came to the conclusion that the rules now before House were practicable and necessary in the interests of public safety. In these circumstances, I do not think it would be right for me to disregard the advice of a Statutory Committee, so composed as I have stated of representative men,

eminently capable of forming an opinion on these matters. I am, therefore, not prepared to alter or modify the rules, until practical experience has shown that it is necessary.

BANKRUPTCY CLERKS.

MR. LAWSON (St. Pancras, W.): I beg to ask the President of the Board of Trade whether, in view of the fact that in his statement last year he gave an assurance that in consideration of the prospects held out by the Official Receiver to the clerks engaged in the Bankruptcy Department of the High Court, he would deal with the conditions of their service in the recess, any change has been made in the position of the Clerical Staff within the patronage of the several Official Receivers; and why the clerks, who have proved themselves competent, should not be brought into the regular Civil Service; and whether it is the intention of the Solicitor to the Board of Trade to transact the whole of the business connected with the departments of the Official Receiver; and, if so, whether the existing staff is sufficient for the purpose?

*SIR M. HICKS BEACH: The question of the organisation of the staff engaged in the Bankruptcy Department of the High Court was considered by a Departmental Committee upon the recent retirement of Sir Robert Harding, and in accordance with their recommendation certain members of the existing staff were added to the permanent establishment by their appointment as Assistant Receivers, but it was not deemed desirable to make any general alteration in the terms of service of the personal staff of the Official Receivers. In accordance with the recommendations of the Committee, the Solicitor to the Board of Trade has taken over, and now performs, the duties of the Official Solicitor in Bankruptcy, whose staff is available for the purpose.

ARMY MEDICAL OFFICERS.

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask the Secretary of State for War whether he has received Memorials from various medical schools in Great Britain, praying that the recommendations of Lord Camperdown's Committee in respect to rank, titles, and emoluments of Army Medical Officers be carried into effect; and whether he would be willing to include in the Return, which he has promised to present to the House, like Memorials from the colleges and medical corporations of Great Britain?

*MR. E. STANHOPE: Yes, Sir; they will be included.

AGRICULTURAL COMPENSATION PROCEDURE BILL.

MR. CHANNING (Northampton, E.): I beg to ask the President of the Board of Agriculture whether, having regard to the fact that in 1889 an Act was passed, as a non-contentious measure, amending "The Agricultural Holdings Act (Scotland), 1883," by enabling references under that Act to be carried out by a single referee appointed by the Court, he will give his assent to the Second Reading of the Agricultural Compensation Procedure Bill, which makes the corresponding Amendment in "The Agricultural Holdings (England) Act, 1883," on the understanding that Clause 5 of the said Bill, which deals with another matter, shall be omitted?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. CHAPLIN, Lincolnshire, Sleaford): I should view with favour the principle of any Bill which has for its object the simplification of agricultural valuations; but I am afraid I cannot pledge myself as to the Second Reading of the Bill in question until we have it before us and I am able to gather from the discussion what course the House would be likely to take with regard to the retention or omission of any particular clause or clauses of the Bill. It is really a matter for the House and not for me to decide whether the Bill is contentious or not.

MR. CHANNING: Is it not obvious that if a Bill of this nature is not taken before 12 o'clock there can practically be no discussion upon it?

MR. CHAPLIN: The matter is in the hands of the House.

ARMENIA.

MR. LEVESON-GOWER (Stoke-upon-Trent): I beg to ask the Under Secretary of State for Foreign Affairs whether he already possesses, or will endeavour to obtain, any information as to the correctness of the following statements

in the *Daily News* of 11th July, that, according to the Official Report, nine persons were killed, and 78 wounded, and three shops and six houses pillaged at Erzeroum on the 20th ultimo; that the Armenian Patriarch has received orders from the Minister of Justice to dissolve the Civil and Ecclesiastical Armenian Councils at Van, and to recall the Bishop to the capital, thereby removing some of the few remaining restraints upon the exactions of the Turkish officials, and the brutalities of the Kurds; and, lastly, that certain Armenian peasants of the village of Alakilesse, in the Province of Sivas, were burnt alive by the police, owing to their inability to satisfy the tax-gatherer's demands, without any punishment of the Zaptiehs ensuing, in spite of the written complaint of the Armenian Prelate of Sivas; and whether, in the event of these reports proving correct, the Government will direct Her Majesty's Representative at Constantinople to urge the Porte to rescind the orders issued by the Minister of Justice, and to punish the authors of the outrage at Alakilesse?

*Sir J. FERGUSSON: A very unfortunate incident occurred at Erzeroum at the date mentioned, when a search for arms was made in an Armenian church and school with the consent of the Bishop. This was resented by the Armenians, who appear to have been responsible for the riot which followed, including an attack on their own Bishop. Some shots were also fired on the troops, which took fatal effect upon them, as well as killing the sexton of the church, and in the subsequent collision and rioting the loss of life was greater than stated in the question, some 20 having been killed and from 200 to 300 wounded. The Vali used his best efforts, and succeeded in preventing further misfortunes. Certain recommendations made by the British, French, and Russian Consuls were communicated to the Porte, and representations were at the same time made by the British and French, and it is believed by the Russian Embassy also, and order has been re-established. Her Majesty's Government have no information with regard to the other matters mentioned in the question.

Mr. LEVESON-GOWER: Will Her Majesty's Government take advantage of the presence of Sir William White in this country to confer with him as to the serious condition of affairs in Armenia?

*Sir J. FERGUSSON: I have no doubt that the Secretary of State will avail himself of the opportunity of Sir W. White's visit to confer with him on this and other subjects.

In reply to Mr. F. Stevenson (Suffolk, Eye),

*Sir J. FERGUSSON said: I do not think there is any need for special instructions.

Mr. J. O'KELLY (Roscommon, N.): I understand that Mr. Clifford Lloyd has sent in a Report. Will the right hon. Gentleman be prepared to lay it on the Table of the House?

*Sir J. FERGUSSON: I have no doubt that Papers will be presented giving Reports of what has taken place. Mr. Clifford Lloyd has carefully reported on all of these cases.

Mr. BRYCE (Aberdeen, S.): When will the Papers be presented? Will it be before the end of the Session?

*Sir J. FERGUSSON: Perhaps the hon. Gentleman will be good enough to put the question on the Paper.

BEHRING'S SEA FISHERIES.

Mr. BRYCE: I beg to ask the Under Secretary of State for Foreign Affairs whether, inasmuch as it appears that much of the Correspondence which has passed between Her Majesty's Government and the Government of the United States of America, regarding the question of the Behring's Sea Fisheries, has already been published in America, that Correspondence, or any, and what, part of it will be now laid before Parliament; and whether he is in a position to make any statement regarding the progress of the negotiations upon the subject of these fisheries?

*Sir J. FERGUSSON: Papers are being prepared, and will be laid shortly; they are rather voluminous. At the present stage of the negotiations it would not be desirable to make any statement to the House.

BOOK POST RULES.

Mr. CAUSTON (Southwark, W.): I beg to ask the Postmaster General if he can explain why the Postal Authorities decline to accept at the halfpenny postage rate invoices and statements printed

at foot with the words, "Please remit the above by return of Post," whereas those printed with the words "All remittances should be made by return of Post" are accepted at that rate; and why voters claims forms, with printed instructions at foot "This claim, &c." are also refused at the halfpenny rate, whereas if the instructions were general that "All claims, &c." the forms would be accepted at that rate; and whether he can see his way to put an end to this system of making different charges in cases which are almost the same?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): Such documents as those to which the hon. Member refers are passed at the book-rate of ½d., provided they contain no communication of the nature of a letter, although it is difficult in some cases to decide where the line should be drawn. I am, however, in correspondence with the Treasury respecting certain alterations which have been proposed in the Book Post Rules, with the view of removing some of the difficulties now experienced.

POST OFFICE—EAST CENTRAL DIVISION.

MR. CONYBEARE (Cornwall, Camborne): I had intended to ask the Postmaster General what number of men of the East Central Division were represented by the deputation which he stated waited upon him at the General Post Office on Friday afternoon; whether they were authorised to speak to him in the name of the whole body of their fellow-workers; what were the points they laid before him, and what concessions he promised to them, or is now prepared to make to the postmen as a body? I do not at present propose to put these questions.

MORTALITY AMONG MINERS IN CORNWALL.

MR. CONYBEARE: I beg to ask the Under Secretary of State for the Home Department whether his attention has been called to the recent article in the *Lancet* commenting on the fearfully high rate of mortality among the miners of Cornwall, due to the insanitary condition of the mines; and whether he will instruct the Government Inspector of the district to hold a special and open inquiry into the facts, and to report upon the same, with a view to measures being adopted for their protection?

MR. STUART-WORTLEY: The Secretary of State has referred the article in question to the Inspector in Cornwall, and is now awaiting his Report. The Secretary of State has had, for some time past, under his consideration the question of amending the law as to metalliferous mines, and a Bill has been for some time in draft having for its object the better regulation of these mines, with a view to lowering the rate of mortality.

MR. CONYBEARE: I had intended to ask the First Lord of the Treasury whether his attention has been called to a recent article in the *Lancet*, commenting on the fearfully high death rate of the miners of Cornwall, attributable to the unsanitary conditions under which they have to work, and whether he will extend the scope of the Reference to the Royal Commission on Mining Royalties, with a view to their taking evidence as to how far any improvement of the said unsanitary conditions is prevented by the undue exactions imposed in the form of royalties and rents by the landlords upon the adventurers, and offering recommendations thereon? I will, however, postpone the question until I hear further upon the subject.

INTERNAL ADMINISTRATION OF THE POST OFFICE.

MR. CONYBEARE: I beg also to postpone the question I intended to ask the Postmaster General, whether he still declines to afford hon. Members who may desire to visit the Post Office, with a view to seeing something of its internal administration before they are called upon to discuss and criticise it on the Post Office Estimates, the necessary facilities for so doing.

"WRIGHT AND SON *V.* THE QUEEN'S HARBOUR MASTER."

MR. CUNINGHAME GRAHAM: I beg to ask the Attorney General if his attention has been drawn to the remarks of Mr. Justice Mathew, as reported in the *Times* of 8th July, in the case of "Wright and Son *v.* the Queen's Harbour Master, the Admiral Superintendent, and others," as follows:—

"He regretted the case, it was not the only case in which those dealing with persons connected with the Crown had no remedy,"

and to the fact that the Jury found for the plaintiffs with damages, and that the learned Judge entered the verdict for the defendants; and whether any steps will be taken in the shape of legislation in consequence?

*THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): As far as I can judge from the somewhat limited report in the *Times*, the case referred to by the hon. Member does not appear to be one in which there is any necessity for legislation. The defendants, who were public servants, were not guilty of personal negligence. They took no part in pointing out the berth to which the plaintiff took his barge, and it seems to me that the risk was properly borne by the plaintiff, whose bargeman in charge of the barge had seen the berth and signed the book, stating that he was satisfied with the berth before berthing.

THE POSTMEN.

EARL COMPTON (York, W.R., Barnsley): I beg to ask the First Lord of the Treasury whether the Royal Commission appointed to inquire into the establishments of the different Offices of State at Home and Abroad is empowered to inquire into the numbers, salaries, hours of labour, superannuation, cost of the staff, and the administration, regulation, and organisation of the said Offices; whether the Royal Commission is still in existence; and whether, if it has not finished its labours, it would be possible that it should extend its inquiries, without delay, to the Post and Telegraph Office?

*MR. W. H. SMITH: As I stated on the 11th inst., Her Majesty's Government consider that the questions which have arisen between the Post Office and its subordinates should be dealt with by the Department, which is quite competent to do so. It is not, in our opinion, expedient or desirable that public servants should be encouraged to look for redress of alleged grievances to the good offices of a third party, instead of to the head of their Department, who is directly responsible to the Government and to this House. Under these circumstances, we do not favour any special reference of this nature to the Royal Commission, which has been engaged on a most protracted and difficult investigation for a very long period, and may now naturally desire to be soon relieved of its arduous duties. I should add that the Commission was not appointed, as the instruction will show, for the investigation of grievances, but for the purpose of reviewing the organisation of public establishments, mainly with the view of effecting economy.

EARL COMPTON: Are not the words in the question as to the number, salaries, hours of labour, superannuation &c., the exact words used in the instructions to the Royal Commission, and were not the telegraphists almost invited to send in a statement of their grievances?

*MR. W. H. SMITH: I think it is probable, but it is an argument against referring questions of this kind to a Royal Commission, seeing that the time occupied in such an investigation must be necessarily contracted.

MR. ISAACSON (Tower Hamlets, Stepney): I beg to ask the Postmaster General whether he will favourably consider the position of the suspended postmen in the East End of London, some of whom have been in the Service upwards of 30 years, with the view of re-instating those who, by intimidation, were induced to join the Union, as they bitterly regret their conduct in going out with others on Thursday last?

*MR. SPEAKER: Order, order! The hon. Member is now going into what is mere matter of opinion.

*MR. RAIKES: In reply to the hon. Gentleman, I can only say that the matter in which he is interested shall receive my most careful consideration when a proper time arrives. I should naturally be desirous, if it should prove compatible with the public interest, to re-instate any postmen of good character who can prove that their misconduct was due to intimidation. [*Cries of* "Oh!" and "Collusion."]

*MR. SPEAKER: Order, order! If the question had appeared upon the Paper I should have struck out that part which refers to postmen having joined the Union.

*MR. RAIKES (continuing) said: But I have at the same time to consider the maintenance of proper discipline, and I think it right to add that, in view of the

disgraceful behaviour since the events of last Wednesday of persons professing to be sympathisers with the postmen who on that day deserted their duty in the Eastern District, I must postpone, while such outrages continue, any consideration of representations made on their behalf.

LOCAL TAXATION BILL.

MR. ROWNTREE (Scarborough): I beg to ask the President of the Local Government Board if the new draft of Sub-section 3, Clause 1, of the Local Taxation (Customs and Excise) Duties Bill will be communicated to the House before the Bill is proceeded with?

*MR. RITCHIE: Yes, Sir.

MR. CONYBEARE: I beg to postpone until next week the question which stands in my name, to ask the First Lord of the Treasury whether, having regard to the desirability of making provision, whenever opportunities occur, for public parks and recreation grounds in the midst of the crowded population of South London, he will consider the propriety of applying the unappropriated monies arising out of the new Spirit Tax to the acquisition, for the benefit of the public, of the Crystal Palace and its grounds, which, it is believed, the present proprietors would offer to the nation for about £750,000?

ROYAL COMMISSIONS.

MR. CONYBEARE: I beg to postpone until next week the question of which I have given notice, to ask the First Lord of the Treasury whether he will furnish a Return showing the number and objects of Reference of the several Royal Commissions issued since the year 1870, in which the Commissioners were precluded by the terms of Reference from embodying in their Report any recommendations for legislation or otherwise?

THE WINTER SESSION.

MR. W. A. MACDONALD (Queen's Co., Ossory): I beg to ask the First Lord of the Treasury whether the Government, before finally deciding to recommend to Her Majesty the reassembling of Parliament in November, will consider the danger to the health of Members likely to result from such a course, together with the inconvenience which will be caused to Irish and Scotch Members who will have to travel long distances at a most inclement period of the year?

*MR. W. H. SMITH: I need hardly assure the hon. Gentleman that the Government would greatly regret if any proposals which they may feel called on to make for the progress of public business should endanger the health of Members of this House; but there is, I believe, a general belief that Sittings protracted into the autumn are more injurious to health than an earlier meeting in the autumn or winter.

IRELAND—EMERGENCY MEN IN FALCARRAGH.

MR. DALTON (Donegal, W.): I beg to ask the Attorney General for Ireland whether his attention has been called to a paragraph in the *Derry Journal* of 9th July, stating

"That the emergency man in charge of evicted farms in the Falcarragh district, accompanied by three soldiers of the Lancashire Regiment, now stationed in Dunfanaghy, visited the townland of Carrowcannon on Saturday evening last, and when they went a short distance beyond the Catholic Church the emergency man drew his revolver and fired five shots. There was a crowd of little children playing close by at the time, who fled panic-striken to the nearest house;"

and whether, as this is not the first instance of such conduct on the part of this man, he will take any steps to prevent a repetition of similar conduct?

*THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): It appears that the caretaker referred to fired three shots to attract the attention of a police patrol which was in the neighbourhood, as he observed three soldiers quarrelling. It does not appear to be the case that these soldiers were in his company, nor were there any children or persons in his view except these soldiers. On one other occasion only does this caretaker appear to have discharged his revolver, and that was when attacked by a dog.

"SHADOWING."

MR. J. O'CONNOR (Tipperary, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that Mr. P. D. Kenny, of Birmingham, lately shadowed in Ireland by the police, writes to the *Daily News*, saying that—

"Politics are no part of his business," denying "that he belongs to the National League of Great Britain," or "that he gave any one authority to describe him as about to attend an Irish meeting," and adding "that there was no reason in fact for the conduct of the police:"

and whether, in view of these statements, he has any further information to communicate to the House as to this case?

*MR. MADDEN: I must ask the hon. Gentleman to postpone the question.

MR. J. O'CONNOR: I beg to ask the Attorney General for Ireland whether he is aware that one Patrick Burke, who has for years sat in a street in Tipperary engaged in the occupation of repairing boots and shoes, has been of late and is now being obliged to leave his usual place of sitting owing to policemen standing near him and pretending that he was working for them; that Burke, having removed to an archway near New Tipperary, was again so shadowed by policemen that for nine weeks he got no work, and was obliged to apply to the Poor Law Guardians for relief; that having returned to his former position three policemen placed themselves between him and Mr. P. Fitzgerald, of Tipperary, who wanted to approach Burke on business; whether, when Mr. Fitzgerald sent a messenger to Burke, the messenger was ordered "to get out of that" by the police; and what is the reason for this interference of the police with Burke in earning his livelihood?

*MR. MADDEN: I am informed that owing to complaints made to the police by some boycotted shopkeepers that the man referred to in the question while working near their shops took part in promoting the boycotting under which they were suffering, his movements were watched by the police, but that it is not the case that when he removed to another part of the town he was watched. The police at no time interfered with persons talking to the man unless they were obstructing the pathway. They have no information as to the particular incident referred to in the second paragraph, but if a date be given further inquiry will be made.

MR. FLYNN (Cork, N.): I beg to ask the Attorney General for Ireland whether his attention has been called to the reports in the Cork papers, from which it appears that two brothers, Edmond and David Kent, were at Fermoy fair on 6th instant, engaged in selling some lambs, when a constable came and "shadowed" David Kent for a considerable time; that this man, David Kent, then went and stood beside District Inspector Ball, and followed the Inspector about the fair, he himself being followed meanwhile by the constable; that District Inspector Ball spoke to Mr. Kent, and said, "if you persist in following me I will have you arrested," and that Kent replied that he had been prevented from doing his business by the constable shadowing him, and that if the Inspector withdrew the constable he would not follow the Inspector; if it is true, as reported, that the Inspector thereupon ordered the shadowing constable to arrest Mr. Kent, who was kept in custody from 9 a.m. until 3.30, and then summoned; and whether he can state under what authority was Mr. Kent arrested, and why was he shadowed in the manner described?

*MR. MADDEN: The hearing of the charge against the man referred to appears to have been fixed for to-day, and the case is, therefore, so far as I am aware, still *sub judice*. It would, therefore, be improper for me to enter into a discussion of the facts.

THE IRISH GENERAL ASSEMBLY.

MR. PINKERTON (Galway): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been directed to resolutions passed, on Wednesday last, at a meeting of lay and clerical members of the Irish General Assembly, demanding for the Presbyterians a fair share in the Parliamentary representation of Ulster, and also "The abolition of dual ownership in land;" and if he will use his influence with the Government to carry out and give effect to these recommendations?

*MR. MADDEN: My right hon. Friend the Chief Secretary for Ireland has not seen a copy of the resolutions referred to in the question of the hon. Member.

GALWAY HARBOUR.

MR. PINKERTON: I beg to ask the Secretary to the Treasury if he is aware that the sum of £45,000, borrowed by the Galway Harbour Commissioners from the Board of Works, for the pur-

pose of improving their harbour, was advanced by that Board after careful examination and full approval of the plans and specifications submitted by Mr. Price, C.E., and the resolution passed by the Harbour Board in favour of carrying out these new works was only carried by a majority of one; if, after an expenditure of £45,000, a deep dock was constructed without an entrance channel, the water in the dock being 10 feet deeper than in the channel outside; and if, seeing that the port has derived no benefit from this expenditure, and as the Board of Works approved of and are responsible for everything that was done in the harbour, the Government will consider the advisability of either expending a further sum to deepen the entrance channel, so as to complete the works as at first designed, or relieve the port from the burthen of this debt?

*THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I must ask the hon. Member to put the question to-morrow. I have not yet been able to obtain the information.

CAPPA PIER.

MR. JORDAN (Clare, W.): I beg to ask the Secretary to the Treasury if he has received a resolution or memorial from the Town Commissioners of Kilrush, County Clare, in reference to the extension of Cappa Pier; and, if so, will he state his intentions respecting it?

*MR. JACKSON: No, Sir; I cannot find that any memorial or resolution has recently been received at the Treasury about Cappa Pier.

*MR. JORDAN: In reference to my next question on the Paper, I wish to say that this is not the question which I handed in to the Clerk at the Table, and I protest against the mutilation of my questions in this manner.

*MR. SPEAKER: Order, order!

*MR. JORDAN: Well, Sir; I withdraw my question, and will put it to-morrow.

SLAUGHTER OF COWS IN PHŒNIX PARK.

MR. T. M. HEALY (Longford, N.): I beg to ask the Secretary to the Treasury what was the loss suffered by the taxpayers by the slaughter of the cows in the Phœnix Park under the Pleuro-Pneumonia Order; and will cattle in future be prevented grazing in the park, and sheep, if necessary, used to eat down the grass?

*MR. JACKSON: I regret to say that the net loss incurred, owing to the slaughter of cattle in Phœnix Park, was £3,129 10s. since January 1, 1890. This sum is a charge on the £20,000 provided in the Act of this year to compensate the owners of cattle slaughtered under Pleuro-Pneumonia Orders in Ireland. I may mention that, in allowing the cattle in question to be admitted to the Park, the Board of Works acted in consultation with the Verterinary Department. The Park is, at present, grazed by sheep, and this will probably continue for some years. I have given orders that no further cattle shall be admitted into the Park until there has been some change.

MR. T. M. HEALY: Until when?

*MR. JACKSON: Until there has been a change. As I have stated, the compensation is provided under the Pleuro-Pneumonia Act.

CORK LUNATIC ASYLUM.

MR. MAURICE HEALY (Cork): I beg to ask the Attorney General for Ireland if he can now state what decision the Irish Government have come to with regard to the recent Report of their Inspectors, as to the overcrowding of the Cork Lunatic Asylum, and the necessity for additional accommodation for the inmates?

*MR. MADDEN: The Inspectors of Lunatic Asylums report that the additional buildings now in course of construction at the Cork District Lunatic Asylum will provide accommodation for 409 patients, which will then give a total accommodation in that Asylum for 1,209 patients.

EVICTIONS AT CASTLEISLAND.

MR. GILHOOLY (Cork, W.): I beg to ask the Secretary to the Treasury whether any moneys are due to the Board of Public Works, Ireland, on the farms from which Messrs. James Leahy, Jeremiah Nugent, and Michael Donovan have been evicted at Castleisland, County Cork, and of which Mr. Thomas Henry Marmion is now in occupation; if moneys are due on them what are the amounts, and what steps have been taken, if any, to recover them?

*Mr. JACKSON: I shall feel obliged to the hon. Member if he will put the question to-morrow. The information supplied to me is not as full as I should like to give to the House.

THEFT AT DROGHEDA.

Mr. BLANE (Armagh, S.): I beg to ask the Attorney General for Ireland whether his attention has been drawn to the remarks of Lord Justice Fitzgibbon, at the Dundalk Assizes, on Saturday, 5th July, in a case where two persons named Brady and Hughes were charged, convicted, and sentenced to terms of imprisonment for larceny of lead from the Imperial Hotel, Drogheda, when his Lordship stated in effect that Patrick Byrne, at whose instigation the lead was stolen, should be charged with the offence; and will he direct a prosecution against Byrne?

*Mr. MADDEN: This case will, I have no doubt, be referred to me in the ordinary course; but I have not as yet received the Papers.

NEW TIPPERARY.

Mr. W. A. MACDONALD: I wish to ask the Attorney General for Ireland if he has seen a paragraph in the *Echo* of Saturday, headed "Moonlighting by a Policeman," which states that Constable Palmer had been convicted of smashing the windows of two houses, and sentenced to two months' imprisonment, but that the District Inspector said there would be some difficulty in finding him because he had left the country, upon which the Magistrate made an observation as to the conduct of the police in allowing the man to escape. If the statement is true will inquiry be made into the conduct of the police; and will the Return presented to the House contain a Return of outrages committed by the police themselves?

*Mr. MADDEN: I must ask the hon. Gentleman to put the question on the Paper.

CARDIFF VOLUNTEERS.

Mr. ALFRED THOMAS (Glamorgan, E.): I beg to ask the Secretary of State for War whether he is aware that the number of rank and file in the 1st Cardiff detachment, which at the close of the last volunteer year on 31st October, 1889, was 115, has now fallen to 60, and that between that date and the 1st of July, 1890, 58 have resigned, and only three recruits have been enrolled; whether he is aware that the number of rank and file in the 2nd Cardiff detachment, which on 31st October, 1889, was 324, is now less than 260, and that the resignations since that date do amount to upwards of 90, and the recruits to 26 only; whether it has been reported to him that the average attendance at the parades in uniform of the Cardiff detachment is now about 50, as against an average attendance of the two detachments combined last year of more than double that number; whether his attention has been called to the remarks of the Colonel commanding the 3rd Volunteer Battalion Welsh Regiment, at the parade of the Cardiff detachment on the 16th of June, expressing surprise at the muster being such a small one, and stating that, unless the attendance at drills improved, he would have to reduce the strength of the detachment from six to four companies, and also to the announcement on parade within the last fortnight that the Officer commanding the detachment will pay 2s. 6d. to each member of the detachment for every recruit introduced by him; and whether, in view of the fact that the 3rd Volunteer Battalion of the Welsh Regiment consists of 23 companies stationed in 10 towns in the Eastern portion of the County of Glamorgan, accupying an area measuring 25 miles in length, and that the Colonel Commandant resides at a distance of 24 miles from the headquarters of the Battalion, he will consider the advisability of reverting to the old system, and divide the present very large Battalion into two Battalions?

*Mr. E. STANHOPE: The hon. Member has considerably over-stated the case, but the Cardiff companies are undoubtedly suffering from a deficiency of recruits. The average attendance on parade of the Cardiff detachment is reported to be over 100. The number of resignations is always greatest between November and January, and is partly due to the migratory character of the population; of those referred to in the question, the majority occurred before the amalgamation of the two Cardiff detachments. It is true that the Colonel lives 24 miles from Cardiff, but he is within easy reach by rail, and lives in the centre of a large population, from which a great proportion of his men are drawn. Reports from the Authorities on the spot

show the battalion generally to be in a high state of efficiency—there being more efficients this year than ever before—and, in my opinion, no sufficient cause has been shown for abandoning a system which, on the whole, is working extremely well.

PUBLIC BUSINESS.

In reply to Mr. H. GARDNER (Essex, Saffron Walden), and Captain VERNEY (Bucks, N.),

*MR. W. H. SMITH said: If the Tithe Bill is withdrawn it will be withdrawn after 12 o'clock, when the Order is reached. The Employers' Liability Bill will be withdrawn either to-night or on some future day. There are on the Paper notices of Amendments to the Reformatory and Industrial Schools Bill, and if it is opposed the Bill will not be proceeded with.

MR. BARTLEY: Will the Savings Bank Bill be proceeded with?

*MR. W. H. SMITH: I understand there is very little opposition to that measure.

MR. STOREY (Sunderland): There is a very considerable amount of opposition to it.

BUSINESS OF THE HOUSE (ABRIDGED PROCEDURE ON PARTLY CONSIDERED BILLS).

Power to the Select Committee to Report observations and opinion.

Report brought up, and read.

Report to lie upon the Table, and to be printed. [No. 298.]

Minutes of Proceedings, with an Appendix, to be printed. [No. 298.]

SELECTION (STANDING COMMITTEES).

Sir JOHN MOWBRAY reported from the Committee of Selection: That they had discharged Sir William Vernon Harcourt from the Standing Committee on Law, and Courts of Justice, and Legal Procedure, and had appointed in substitution: Captain Verney.

Report to lie upon the Table.

HIGH COURT OF JUSTICE (ACTIONS REMITTED TO COUNTY COURTS).

Address for—

"Return showing the number of Actions and Issues remitted by the High Court of Justice to the several County Courts in England and Wales and tried by them, in the six months ended the 31st day of December, 1889 (in continuation of Parliamentary Paper, No. 355, of Session 1889)."—(*Mr. Arthur O'Connor.*)

CIVIL SERVICE (PRIVATE SECRETARIES).

Return ordered—

"In the following form, of persons (*a*) belonging to the permanent Civil Service, (*b*) not belonging to the permanent Civil Service, who received appointments in the permanent Civil Service since 1869, while acting as Private Secretaries to Ministers":—

Name.	Appointment, if any, previously held in the permanent Civil Service.	Official title of Minister to whom he was Private Secretary.	Total remuneration received.	To what post appointed while a Private Secretary.	Remuneration of such post.	Date of appointment.

—(*Mr. Watt.*)

ALDERSHOT ROADS BILL.—(No. 298.)

Reported from the Select Committee.

Report to lie upon the Table, and to be printed. [No. 229.]

Bill re-committed to a Committee of the whole House on Thursday, and to be printed. [Bill 379.]

MESSAGE FROM THE LORDS.

That they have agreed to—Education Code (1890) Bill, without Amendment.

ORDERS OF THE DAY.

POLICE (SCOTLAND) BILL.—(No. 353.)

(4.25.) Motion made, and Question proposed, "That the Committe do consist of Twenty-one Members."—(*The Lord Advocate.*)

MR. E. ROBERTSON (Dundee), in whose name an Amendment stood on the Paper to substitute the number 72 for 21, said: The Motion which was made the other night contained two propositions—(1) that none but Scotch Members should sit on the Committee; and (2) that all the Scotch Members should sit on the Committee. The Lord Advocate described it as a fantastic proposal, but I see that the right hon. Gentleman has now accepted the first proposition. There is one name—that of Sir C. Dalrymple—which is not that of a Scotch Member, but if the hon. Baronet is not a Scotch Member he is a Scotchman. The hon. and learned Gentleman was proceeding to criticise the composition of the proposed Committee, when

*MR. SPEAKER said: Order, order! The Standing Order only permits a short statement on a Motion of this sort.

MR. T. M. HEALY (Longford, N.): May I suggest that the Government should have put the Motion down at a time when every hon. Member could have expressed his opinion?

*MR. SPEAKER: I am not permitted by the Standing Order to allow anything more than a short explanatory statement.

MR. T. M. HEALY: The Motion ought to have been made after 12 o'clock.

DR. CLARK (Caithness): I beg to move the Adjournment of the Debate.

*MR. SPEAKER: No hon. Member can move the Adjournment of the Debate.

MR. BUCHANAN (Edinburgh, W.): I take it, Sir, that you must put the names separately?

*MR. SPEAKER: No doubt.

MR. E. ROBERTSON: I understand that my Motion is in order.

*MR. SPEAKER: Yes.

MR. E. ROBERTSON: Then I beg to move it.

Amendment proposed, to leave out "Twenty-one," and insert "Seventy-two," — (*Mr. Edmund Robertson,*) — instead thereof.

Question proposed, "That 'Twenty-one' stand part of the Question."

(4.30.) THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): During the Debate on the Second Reading of this Bill I intimated, on behalf of the Government, that while we assented to the measure going before a Select Committee, we expressly reserved the right of the Government to influence the composition of the Committee. The hon. Member now proposes that in place of a Committee of 21 members there shall be a Committee of 72. Immediately after the Motion was carried to refer this Bill to a Select Committee, the hon. Member proposed that the Committee should consist of the whole of the Scotch Members, and the present proposal is really a repetition of the rejected Motion. I hold that the course the Government have taken is thoroughly defensible. We have a precedent in 1888. Then there was the Burgh Police (Scotland) Bill before the House, and it involved a considerable amount of detail. It was referred to a Committee of 25 Members, of whom four were English Representatives. Three of these were, however, of Scotch nationality, and the other one was an Englishman sitting for an English constituency. If it is said that this Committee ought to be a microcosm of the House in the sense of representing the various nationalities, the argument is at once reduced *ad absurdum*, because then a Committee of 21 Members should only include two Scotch Members. I can only repeat that in this matter we are following in the footsteps of our predecessors. We hold that as this matter is one requiring special local knowledge there should be a large infusion of the local element on the Committee.

*MR. SPEAKER: Order, order! It is my duty to point out that the hon. Gentleman has spoken quite as long as the Mover of this Amendment.

(4.30.) The House divided:—Ayes 138; Noes 130.—(Div. List, No. 184.)

Main Question put, and agreed to.

Mr. Baird, Mr. J. B. Balfour, Mr. James Campbell, Mr. Childers, and Mr. Crawford nominated Members of the Committee.

(4.42.) DR. CLARK: I now propose to substitute for the name of Sir C. Dalrymple——

*MR. SPEAKER: Order, order! It is not competent for the hon. Member to move without notice the insertion of another name, although he may move to omit any particular name.

DR. CLARK: I beg, then, Sir, to move the omission of the name of Sir C. Dalrymple, and I do so as a protest against the constitution of the Committee. While only 20 per cent. of the Liberal Scotch Members are to be on the Committee, 75 per cent. of the Conservative Scotch Members are to be placed on the Committee, which I hold ought more fairly to represent Scotch opinion in this House.

Motion made, and Question proposed, "That Sir C. Dalrymple be one other Member of the Committee."

(4.44.) MR. MARJORIBANKS (Berwickshire): I hope my hon. Friend will not propose this Amendment. The hon. Member whose name he proposes to omit is a Scotchman, though it happens that he is not a Scotch Member. He is, however, only an English Member by accident. I think that the proposed Committee accurately represent the ordinary ratio of the various parties in the House.

Question put.

(4.45.) The Committee divided:—Ayes 156; Noes 122.—(Div. List, No. 185.)

Mr. Arthur Elliot, Mr. Hozier, Mr. Hunter, Colonel Malcolm, Sir Herbert Maxwell, Sir Archibald Orr Ewing, Mr. Parker Smith, Mr. Philipps, Mr. Provand, Mr. Edmund Robertson, Mr. Angus Sutherland, Mr. Mark Stewart, Mr. Shiress Will, Mr. Vernon, and the Lord Advocate, nominated other Members of the Committee.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, that Seven be the quorum.

STATUTE LAW REVISION (RE-COMMITTED) BILL [LORDS].

(No. 251.)

Bill considered in Committee.

(In the Committee.)

Schedule.

Motion made, and Question proposed, "That Schedule 1 stand part of the Bill."

(4.58.) MR. CONYBEARE (Cornwall, Camborne): I beg to move to insert "34 Ed. III., Sec. 1."

THE CHAIRMAN: Order, order! This is a Bill for repealing statutes which are no longer in force, but the hon. Member proposes to repeal a Bill which is in force, and which has been recently applied. That is quite outside the scope of the Bill.

(4.59.) MR. T. M. HEALY (Longford, S.): I think this point was decided differently on a former occasion when a Statute Law Revision Bill was under consideration.

THE CHAIRMAN: If so, it was irregular.

MR. T. M. HEALY: Are you not, Sir, bound by precedent?

THE CHAIRMAN: I think not.

MR. CONYBEARE: But are we not entitled to show that this Act is not in active operation? And if we show that, is it not competent for us to move to repeal it?

THE CHAIRMAN: The statute might be repealed, undoubtedly, if it were not in operation, but I understand it has been recently applied.

(5.0.) MR. T. M. HEALY: Would it not be in order to move to repeal the statute as regards England and Scotland?

MR. CONYBEARE: I should like to point out that it was never intended that this statute should apply to Ireland, and that it has been wrongfully enforced in that country.

THE CHAIRMAN: In another form, and on another occasion, that might be a proper subject for argument, but it cannot be raised now.

MR. CONYBEARE: Then I beg to move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Conybeare.*)

(5.1.) THE SOLICITOR GENERAL (Sir E. CLARKE, Plymouth): I hope that the hon. Member will not persist in the Motion. The Bill has been very carefully considered by a Select Committee, and there is no controversial matter in any part of it. It deals with Bills between the 43rd year of George III. and the sixth year of William IV., and the passage of the Bill is being awaited

in order to issue two new volumes of Revised Statutes. The hon. Member will be rendering a great service if he co-operates in getting this Bill through the House.

(5.3.) MR. BRYCE (Aberdeen, S.): On a proper occasion I shall be glad to assist in repealing this particular Statute, but as the Chairman has ruled that it cannot be done now, I hope hon. Members will not prevent the passing of the Bill, which is necessary in order to allow the issue of new volumes of the revised Statutes, which are awaited with considerable interest.

MR. CONYBEARE: I shall have to press the Motion.

(5.4.) MR. STOREY (Sunderland): May I point out the Bill is intended to provide for the repeal of Statutes which are of such a nature as to be no longer capable of being put in force, regard being had to altered political or social circumstances. I submit that this Statute of Edward III. comes under that provision. Certainly it is incapable of being put in force in England, and I hold that at any rate it is competent for us to move to repeal it so far as England is concerned.

(5.5.) MR. CONYBEARE: I should be glad to withdraw my Motion to report Progress if it were not for the important point which has been raised that according to precedent we are entitled——

(5.6.) THE CHAIRMAN: Order, order! That point cannot be debated on a Motion to report Progress.

MR. CONYBEARE: I only wish to say that having regard to that fact I do not feel that I can withdraw my Motion.

(5.7.) DR. TANNER (Cork Co., Mid): I understand that this Statute was passed in order to avoid vexatious and frivolous arrests. I think it is time the Government, seeing the use made of it, have made up their minds to include it in this Bill, and I sincerely hope that even now they will consent to do so.

(5.8.) The Committee divided:—Ayes 93; Noes 195.—(Div. List, No. 186.)

Original Question put, and agreed to.

Bill reported without Amendment.

(5.23.) MR. W. H. SMITH: I hope that the House will assent to the Motion I now make, that the Bill be read a third time.

Motion made, and Question proposed, "That the Bill be now read the third time."

DR. TANNER: I object. I wish to know whether the Committee stage of a Bill, the Report, and the Third Reading can all be taken on the same day?

*MR. SPEAKER: There is no Report stage, as the Bill has been passed through Committee without Amendment. By the general consent of the House a Bill can be read a third time after it has been passed through Committee.

(5.24.) DR. TANNER: Is it impossible for me to raise an objection to the Bill being read a third time?

*MR. SPEAKER: The objection of two or three voices will not suffice to prevent the Bill being read a third time.

Question put, and agreed to.

Bill read the third time and passed, without Amendment.

SUPPLY—CIVIL SERVICE ESTIMATES, 1890-1.

Considered in Committee.

(In the Committee.)

CLASS II.

1. Motion made, and Question proposed,

"That a sum, not exceeding £102,602, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1891, for the Salaries and Expenses of the Local Government Board in Ireland, including various Grants in Aid of Local Taxation."

(5.25.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): On Friday night, when the moment of 12 o'clock intervened to check a somewhat heated Debate, hon. Members opposite were making a violent attack on myself, based upon the alleged inequality of treatment in the cases of Captain Eyre, Justice of the Peace, Mr. Kirnan, and Mr. Clarke. It was alleged that while these three gentlemen had been surcharged by an auditor of the Local Government Board in respect of relief afforded out of the poor rates to evicted tenants, proceedings against Captain Eyre had been taken under a

Statute, purposely with the view of enabling him to evade payment. The hon. and learned Member for Longford said that whilst Mr. Clarke had been imprisoned in reference to a surcharge of £5, Captain Eyre, against whom there was a surcharge of £40, had got off scot free; and this, although both gentlemen were charged on the same day and before the same Magistrate. I desire to point out that the trials did not take place on the same day, and that Mr. Clarke was subsequently tried under a different Statute, in consequence of the failure of the proceedings which had been instituted against Captain Eyre. I was told on Friday night by the hon. and learned Member for Longford that I ought to be ashamed of myself, and that my action as a Minister was disgraceful, and much more in the same strain, until he was called to order by the Chairman. In the case of Mr. Kirnan an accusation equally injurious to the Administration of the Local Government Board was made. The facts of the case are that Captain Eyre was surcharged in January, 1887, before I occupied my present post as Chief Secretary, and Mr. Kirnan was surcharged at the same time, and was tried under the same Statute. The proceedings against both were identical, and the payment was obtained from either of them. Mr. Kirnan and Mr. Clarke were subsequently surcharged last year, and were tried under a different Statute because of the failure of the earlier proceedings against Captain Eyre and Mr. Kirnan. The Committee may now judge upon what basis wild and reckless accusations are made against the Irish Government and against myself, and what reliance ought to be placed by hon. Members sitting on the Government side of the House upon statements made by hon. Members opposite. The episode is, in my opinion, interesting, as illustrating the sort of justification for accusations which it is thought proper to hurl across the floor of the House in most excited tones.

(5.29.) MR. T. M. HEALY (Longford, N.): Unlike the right hon. Gentleman, when I find that I have been led into an inaccuracy, I beg to tender him a full expression of my regret. I hope the example which I, not a long-descended man, set will not be lost on the right hon. Gentleman.

(5.30.) MR. DILLON (Mayo, E.): Sir, I too desire to apologise to the right hon. Gentleman for having made a statement which turns out to be inaccurate. Whilst I apologise to him fully for the inaccuracy of the information supplied to us in this particular instance, yet I do not think the speech of the right hon. Gentleman is well founded, because, out of the many charges hurled by Irish Members across the floor of the House, on this occasion alone has the Chief Secretary proved us to be inaccurate. I call the attention of the House to this fact, and to the length at which the right hon. Gentleman addressed it on this solitary triumph. I admit in the frankest way that on this occasion he has triumphed over us. But what about the hundreds of other cases in which we have brought the most damaging charges against the Irish Executive? They were accurate and could not be denied. If they were capable of denial why did the Chief Secretary not deny them as he has done in this instance? I apologise in the fullest way and without reservation for having made the statement that the Local Government Board, of which the Chief Secretary is the head, proceeded against two individuals on the same day under different Statutes. I would venture to direct the attention of the Committee to the great importance of this case, quite apart from that charge. Admitting now that we were wrong and misinformed, and that the Board did not commit the outrage of proceeding under different statutes, there still remains the extraordinary circumstances of the imprisonment of the man for signing the relief book of the union. I ask the President of the Local Government Board of England whether he knows of any case in England in which a Guardian of the Poor has been put in prison for signing the relief book, and not paying surcharge? I am informed that surcharging is not at all an uncommon thing in England, and will the right hon. Gentleman state whether there is any case in which a man has been thrown into gaol for three months because he has not paid surcharge? If he can state that he will certainly rescue the Chief Secretary from a difficult position and render him substantial help. If he cannot do so I ask whether it is fair that this man, Timothy

Clarke, should have been kept in prison for three months, to the ruin of his business as a cattle dealer, for non-payment of a small surcharge? I am informed that Kirwan was prosecuted at the same time as Eyre. He was also prosecuted a second time, and the Friend who supplied me with the information simply confounded the two prosecutions. On the second prosecution Mr. Kirwan was thrown into prison for a month for non-payment of surcharge, and treated as an ordinary prisoner. Clarke was not treated as an ordinary prisoner, but as a first-class misdemeanant, I believe. I would invite the President of the Local Government Board in England to give the law and practice here in regard to this matter.

*(5.35.) THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): The hon. Gentleman has appealed to me to state whether or not any imprisonment takes place in England for neglecting to comply with an order of the Local Government Board with regard to surcharge. I have not known, during the time I have held the office which I now hold, anything of the kind requiring to be done. The Local Government Board have, undoubtedly, in my time made surcharges, but they have been paid.

MR. DILLON: Are there many instances in which the surcharges have not been paid for a long time? Has the right hon. Gentleman ever known a man thrown into prison for not paying?

*MR. RITCHIE: I have answered the question, that I cannot say what has been done. During the time I have been President of the Local Government Board I have not known of anyone imprisoned for non-compliance with an order for surcharge by the Local Government Board. More than that I cannot say. The surcharges have, of course, been paid.

(5.36.) DR. TANNER (Cork Co., Mid): The question is whether surcharge is not dealt with differently in different cases. I will tell you what occurred in Cork. The Chairman of the Board of Governors of the Cork District Lunatic Asylum was surcharged by the Castle Authorities, and for upwards of two years the money was not paid. But the Chairman of the Cork Lunatic Asylum is a Conservative—a high Tory of the city of Cork. The Dublin Castle Authorities, I would point out, imprisoned a Nationalist, but let off their Conservative friends. I would like the Chief Secretary to pay attention to this matter, and to answer it if he possibly can. Is it not the fact that Mr. Morgan and some of the members of the Cork District Lunatic Asylum were surcharged and allowed time to pay?

MR. T. M. HEALY: Sir, I ask the President of the Local Government Board whether it is not the constant practice in England to remit surcharges in certain cases, and to allow long periods for payment; whether it is the practice, in the case of a poor struggling man, to pounce down upon him, and to put him into gaol for a number of months simply because he has not paid the surcharge?

*MR. RITCHIE: The Local Government Board can remit surcharges on two grounds—legal and technical—in which the circumstances are such as to justify remission. There is no disposition, of course, to press unnecessarily in regard to the time at which the surcharge is to be paid.

MR. T. M. HEALY: Can the right hon. Gentleman give us a statement as to the amount of the surcharges remitted by the English Local Government Board within the last three years?

*MR. RITCHIE: If I can, Sir, I shall be glad to give any information I can when the Vote comes on.

MR. DILLON: Will the right hon. Gentleman kindly ask one of his clerks, before the Local Government Vote is disposed of, to say whether any person has been imprisoned in England for surcharge?

MR. J. O'CONNOR (Tipperary, S.): Will the right hon. Gentleman also, if convenient, give a Return of the number of cases in Ireland where surcharges have been made, and whether they have been remitted or not?

*MR. RITCHIE: I cannot make any statement with regard to facts in Ireland.

MR. J. O'CONNOR: Why not?

*MR. RITCHIE: Because I have no knowledge whatever of them.

MR. J. O'CONNOR: Could the right hon. Gentleman not refer to his friend the Chief Secretary?

*MR. RITCHIE: It is not in my Department.

(5.40.) MR. KILBRIDE (Kerry, S.): I wish to ask the right hon. Gentleman what course he intends to pursue with regard to the Nationalist Press in Ireland?

THE CHAIRMAN: Order, order! The discussion is on the Local Government Board Vote, and unless the hon. Member is going to speak of the Nationalist Press in relation to that Vote he will be out of order.

MR. KILBRIDE: The point I wish to raise is this. By direction of the Local Government Board the ordinary advertisements of the Carlow Board of Guardians, under the Labourers' Act, have been refused to the local Nationalist paper, and given to the local Conservative paper. As a matter of fact, the Nationalist paper has 10 times the circulation of the Conservative paper. I have a letter from Mr. Condon, owner and editor of the Carlow Nationalist paper, in which he says—

"Some time ago it became necessary to publish official advertisements relating to the Labourers' Act in Carlow Union, and although the Guardians of the Union, who have to pay for such advertisements, expressed by formal resolution their wish to have the advertisement published in the local Nationalist newspaper, as well as in the Conservative organ, the Local Government Board refused to accede to their wishes."

Now, I wish to know whether Local Boards are to be prevented from having their advertisements published in the Nationalist newspapers? I ask what is the reason of this? Is it on the ground that the proprietors or editors of some of these newspapers have been, or may still be, in gaol as criminals, that they are not allowed to have these advertisements? If so, I beg to say that Mr. Condon was not in gaol for any offence under the Criminal Law Procedure Act; he was confined under the Act we have been discussing, namely, that of Edward III., and because he refused to admit that he was a criminal, and to ask for bail, he was practically told by the right hon. Gentleman the Chief Secretary—"I will do all in my power to prevent your earning or your obtaining your ordinary means of livelihood." Does the right hon. Gentleman expect that mean and petty action of that kind will tend to allay public feeling against the Government in the districts where these things are done, or in any way aid the cause of law and order? I would here remind the right hon. Gentleman that Mr. Condon was confined for two months in gaol for having reported a speech made by myself, a speech which was published without note or comment. It was said that a school was boycotted on that occasion owing to that publication, and that it was boycotted in order to lead to the amalgamation of two schools in the same neighbourhood, so as to enable them to get the grant; but I am glad to inform the right hon. Gentleman that the schoolmistress of the second school is going next week to America, and that we shall be without both schoolmaster and schoolmistress for a short time to come. I would, however, ask the right hon. Gentleman does he want anything more of the same kind? I would also draw his attention to the fact that on the occasion of Mr. Condon's trial it was sworn that his paper did not reach the locality referred to until the Monday following the day of its publication, at the end of the week in which it was issued, that the school was boycotted on the Tuesday, and that the circulation of the paper had nothing directly or indirectly to do with the boycotting. I also put it to the Committee, whether a journalist who merely reports public events, and has had nothing to do with the matters charged, has any right to be treated by the right hon. Gentleman in the paltry and vindictive spirit which has been displayed towards him.

(5.48.) MR. J. O'CONNOR: I would remind the Committee that last Friday evening I brought this very question under notice, but that, owing to the peculiar facility the right hon. Gentleman has for overlooking things which are important to the issues involved, and passing on to other matters to which his sublime attention is more congenially directed, he did not allude to the case reported in the *Cork Examiner* to which I then referred. I pointed out that the editor of the paper had expurgated his offence, whatever it may have been, and now it has been explained that the offence consisted merely in the refusal to give bail. There were two cases—those of the *Cork Examiner* and the *Cork Herald*—which I brought under the notice of the right hon. Gentle-

man. They are two papers published in an important city in the south of Ireland —a city having 80,000 inhabitants— these papers circulating over the province of Munster, and having been boycotted by the Local Government Board, so that the advertisements of the Cork Union were confined to a Conservative paper, owned by friends of the right hon. Gentleman, and circulating only among a few select people in the south of Ireland. This is not only unjust to the boycotted newspapers, but also to the people who read them, as well as to the contractors who send in tenders, because they do not see the advertisements in the papers they read. I say that this complaint applies not only to the Local Government Board, but to the Fisheries Board, and all the other Boards and Departments under the management of the right hon. Gentleman. Nevertheless we are constantly seeing the right hon. Gentleman turning up his eyes at the boycotting which prevails in Ireland. Why, Sir, we can point to documentary evidence showing that orders are issued by the Boards in Dublin under the management of the right hon. Gentleman that the advertisements are to be given only to those papers which are of the political colour the right hon. Gentleman approves of. At any rate, I think the right hon. Gentleman ought at least to accord to us the courtesy of noticing the complaints we make, and not to confine himself to the making of sensational speeches on those points that are really of no great importance, while he entirely overlooks and passes by matters that are of very much importance, and upon which we are anxious to obtain information. Under these circumstances, I hope the right hon. Gentleman will consider the speech of my hon. Friend.

(5.50) MR. P. J. POWER (Waterford, E.): I do not desire, on behalf of the Nationalist Press of Ireland, to claim any favour from the right hon. Gentleman; but they do claim justice, and the ratepayers also demand justice, at the hands of the Government. This boycotting of the Nationalist Press not only works unfairly for the newspaper proprietors, but it also operates unfairly towards the people who pay the rates of the country. I will give the Committee an instance of this. There was an important meeting in the county of Dungarvan not long ago convened by the Local Government Board, and Inspectors were sent down. The meeting was advertised in two of the local Conservative papers, not half a dozen copies of which ccirculated in that county, or in the neighbourhood of Dungarvan. I asked the right hon. Gentleman why a matter which intimately concerned the ratepayers of that district was not advertised in the papers which circulated there, and he said he understood that the proprietors of those papers had been guilty of breaking the law, and that the Government did not intend to insert any of their advertisements in those papers. Now, the guilt of these persons amounted to this—that they had inserted in their papers reports of the so-called suppressed branches of the League. I think, Sir, the proceedings of the Local Government Board with regard to surcharge afford a good illustration of the way in which Irish grievances are attended to by the Government. They are never tired of telling us that the grievances of the Irish people, when brought forward by their Representatives, will be attended to. On this question of surcharge we have again and again asked that the same law as is applied to England shall be applied to Ireland, namely, that there should be some kind of appeal; but, although the Government acknowledge the principle to be correct, they have done nothing to put it in operation in Ireland. In our country the auditors are appointed, not because of their fitness for the office, but because of the hatred they bear to the Irish people, and these gentlemen have no hesitation in surcharging the Nationalist Guardians, while the *ex officio* and Conservative Guardians are allowed to go scot free. I was surcharged in this way myself, and it so happened that Sir Robert Paul, my predecessor, had signed cheques for similar payments in previous years, but had escaped surcharge. When, however, he saw that I was so surcharged, Sir Robert Paul came forward, and by some pressure which he brought to bear, I was not forced to pay the surcharge. While I am on my feet I wish to draw attention to another matter which has been repeatedly brought forward in this House. I allude to the system of sending aged and infirm poor back to Ireland, to end their

days there, after they have spent the best part of their lives in this country. For my part, I should be happy to approve of any arrangement which would enable these poor people to end their lives in the country from which they have been expelled; but I would point out that the question is an important one locally——

THE CHAIRMAN: This subject is not under the control of the Local Government Board of Ireland.

MR. P. J. POWER: But we are in the habit of writing to them and receiving communications from them upon it. At any rate, you have the power in this country of sending paupers who may be of Irish parentage, but who have been out of Ireland nearly half a century, over to us to be supported by us, and although we have in our unions a great many English poor, we have no right to send them over here. Of course, if you, Sir, consider that this question is not appropriate to the subject of the Vote under discussion, I wil not proceed with it, but I think some reference should be made by the right hon. Gentleman to the Irish Press question, and the reason why he refuses to insert advertisements in those papers which are published and have the largest circulation in the districts affected.

(6.0.) MR. A. J. BALFOUR: With regard to the point raised by the hon. Member, that the Government are bound by the statute, and the alteration he desires is an alteration which it is not within the power of the Local Government Board to bring about. With regard to the action of the Local Government Board respecting advertisements in the papers in Ireland, I have only to say what I think I have said on one or two preceding occasions, namely, that the principle which governs the Irish Administration in this matter is simply that Government advertisements ought not to be sent to papers which habitually break the law.

MR. M. HEALY (Cork): Who decides that?

MR. A. J. BALFOUR: Those who send the advertisements. Politics are not regarded as long as newspapers do not break the law. I do not know that I have anything to add to that, and I think the Committee in general approves of the broad lines of the policy laid down by the Government in the matter.

*(6.2.) MR. KNOX (Cavan, W.): We do not accept the explanation of the right hon. Gentleman as in any way satisfactory, and I think the Committee will see in this matter an apt illustration of the unfairness with which Nationalists are treated by the officials of Dublin Castle. I do not suppose the right hon. Gentleman lays down the principle that if any newspaper in any part of the country is punished for any offence against the law that newspaper is never again to receive a Government advertisement. The Government Departments, as I understand, do not farm out these advertisements as a matter of justice or favour to one paper or another in any of these three kingdoms. By certain statutes the Government Departments are bound to give notice to the people of certain things. They are bound, as a simple ministerial duty, to send the advertisements to those newspapers which do reach the people. If not, they are not giving notice to the people, and in spirit, if not in letter, they are breaking the statutes. It is a monstrous thing that gentlemen in the Local Government Board Office, who do not profess to be able to exercise judicial functions, should take upon themselves the task of judging what is and what is not an offence against the law of the land. I suppose the right hon. Gentleman will admit that some newspapers in the north of Ireland have, from time to time, broken the law. I suppose he will admit that the *Belfast News Letter* has called upon people to break the law. Does the right hon. Gentleman say that, under these circumstances, that newspaper ought to get the Government advertisements? I suppose there are scores of newspapers in these three Kingdoms that have committed the offence of criminal libel. Does the right hon. Gentleman say that not one of these papers is a fit receptacle for Government advertisements, or does he draw a distinction between one sort of offence and another? I suppose the distinction the right hon. Gentleman draws is that a criminal libel is an offence against the law of the land, and a conspiracy under the Crimes Act is an offence against the law of the right hon. Gentleman. Very often, for simply giving the people of a

district a plain account of what had happened in the district, an Irish newspaper proprietor is branded by the Local Government Board as a person unfit to receive a Government contract. The action of the Local Government Board is simply and solely a bit of political persecution. It is contrary to the spirit of the law under which the Board act, for, by giving advertisements to papers with little or no circulation, they do not give that notice to the people which they are bound by law to give. Now, Sir, who are the gentlemen on the Local Government Board who are laying down these principles? There is an interesting publication called *The Financial Reform Almanack*, which gives the relationship of Members of this House with Members of the Upper House. I should like to see the principle of these Returns applied to the Local Government Board. I do not want to see the relationship to Members of the Upper House especially given, but I should like to see established the relationship between the different officials and members of the clique who have the supreme command in Dublin. You have a member of the great family of Morris, a member of the distinguished family of Gibson, and a brother of the gentleman who is chiefly distinguished by the fact that he has been, from time immemorial, the Conservative candidate for the City of Limerick. You have numbers of men who have obtained their posts simply because they are related to people who are in authority. And now, having got their posts in this way—for services as Party hacks, or for the services of their brothers as Party hacks—they purport to exercise and to assume a judicial function in deciding which newspapers in Ireland are fit to receive Government advertisements, and which are not. I maintain that that is preposterous. It is another matter which shows the intolerance of the clique who really rule Ireland. The right hon. Gentleman opposite, by one title or another—sometimes as Chief Secretary, sometimes as President of the Local Government Board—is supposed to rule Ireland, but he does not do so. The actual control of the Administration is not with the right hon. Gentleman, but with the various hacks who do the things that the right hon. Gentleman has to defend in this House. I desire to call attention to the action of an auditor of the Local Government Board in allowing an improper payment by the Grand Jury of the County of Cavan, under circumstances in which no such payment would have been allowed had it been made by a Representative Body on which Nationalists were in the majority. It may, or may not, be known to this House that there is a difference in the mode in which the expenses of children sent to Reformatories and children sent to Industrial Schools in Ireland are paid. In the case of Reformatories, the Grand Jury or the Urban or Municipal Authority, as the case may be, is bound to pay the cost of the maintenance of the children; but in the case of Industrial Schools the Local Authority has an option. It may, if it likes, contribute to the support of the children, but it is not obliged to do so. Now, in the county of Cavan, although the vast majority of the cesspayers are Catholic, there is a Protestant majority on the Grand Jury, and for 16 years in succession it has absolutely refused to pay a farthing for Catholic children in Industrial Schools, on the ground that there is a Standing Order of the Grand Jury against payments for children in Industrial Schools. For eight years out of the 16, however, in spite of continual protest, the Grand Jury made grants to Protestant Industrial Schools. I consider that that is a scandalous instance of bigotry and intolerance. That is not all. Year after year the Grand Jury entered this payment to Protestant Industrial Schools in the published abstract of presentments as if it were a payment to a Reformatory. The entry ran "The Meath Protestant Reformatory" so much. The Auditor of the Local Government Board must have known that there was no such thing as a Meath Protestant Reformatory. He must have known it, for he had to audit payments in different parts of the country to the Meath Industrial School as an Industrial School time after time.

MR. A. J. BALFOUR: In what year was this?

*MR. KNOX: This has been done for eight years. The improper audit occurred in every one of the eight years. The Grand Jury have not passed any such presentment this year

owing to the attention which has been drawn to the subject in this House, but the improper payment was improperly allowed in the year last past. I do not make any charge against this Protestant Industrial School, as I happen to know that the managers discharged their duties satisfactorily and sent in the forms in a straightforward way, describing the institution as an Industrial School. The Grand Jury, however, falsified the Return, putting down the payment as if made to a reformatory. That is a fraud, and should have been prevented by the auditor. What is an auditor for if he is not to stop a fraud of that kind? If the Town Council of the city of Dublin were to perpetrate such a fraud we should have the hon. Member for South Tyrone (Mr. T. W. Russell) on every platform throughout the Kingdom, denouncing the intolerance of the Irish Catholics. I appeal to the Chief Secretary to say a word or two in condemnation of the intolerance and fraud of the Cavan Grand Jury, although they are amongst his own supporters.

(6.18.) MR. M. HEALY: As the right hon. Gentleman has not risen to explain the remarkable incident referred to by my hon. Friend, I should like to ask the right hon. Gentleman the Chief Secretary to explain how the Irish Local Government Board discharges the extraordinary duty cast on it of acting as censor over the Irish newspapers, finding out which of them keeps the law, and which of them breaks it. I say that as this censorship over newspapers by the Local Government Board affects the fortunes and properity of a great many Irish newspapers, we are entitled to further information from the Chief Secretary. We have it from the right hon. Gentleman that the Local Government Board, instead of having regard to the circulation of a newspaper and the fitness of the medium for the advertisement before it gives an advertisement, endeavours to find out, as the right hon. Gentleman says, whether the newspaper "is breaking the law or not." I want to know how they discharge that function? In what way do they proceed to ascertain the facts? Do they keep a file of the newspapers and submit it to their legal adviser? They have a legal adviser—a distinguished Irish lawyer—and I want to know is it on his advice that they act in discharging this important function? I have always thought that it is for the Courts to decide whether or not the law is broken, but that old maxim, like a great many other old maxims, does not hold with the present Government of Ireland. I say we want some little further information. We want to know whether—say in the case of the *Cork Examiner* or the *Cork Herald*—where they are accused of having broken the law, an opportunity is given to the editor or proprietors of being heard in their own defence. I apprehend not. We know it is said these papers are not loyal, but, notwithstanding that, I submit that the proprietors should have some right of appeal when the Local Government Board undertakes to decide a legal issue. These are the extraordinary incidents to which the Minute of the right hon. Gentleman, which we have heard of for the first time to-night, has given rise. I think that when the right hon. Gentleman comes down to this House and declares that instead of dealing with the questions of Poor Law and out-door relief, the Local Government Board go into investigations as to how far the Criminal Law of Ireland has been observed or been broken, we are entitled to some information as to the lines upon which the Local Government Board proceeds.

MR. A. J. BALFOUR: In answer to the hon. Members I would say that no judicial functions are undertaken by the Local Government Board. As President of that Board I am directly and solely responsible for the principles laid down as regards the granting of these advertisements, and if blame attaches to anyone it attaches to me. I contend, however, that no blame attaches to me or to anyone else. I think that the Board would be going beyond their duty, and beyond what is just, if they were to consider the political complexion of any newspaper. I quite admit that general principle, but it would be equally absurd to expect them to give these advertisements to papers which they cannot conceal from themselves are in the habit of violating a perfectly well-understood law.

MR. T. M. HEALY: What law?

MR. A. J. BALFOUR: The law of the land. I do not believe that advertise-

ments have ever been refused in a case where it could be seriously contended that the law had not been broken by the newspaper in question. No such case has been or can be adduced. If anyone thinks that this is being done in the case of a paper which has not broken the law —if they will bring it to my notice the matter will be examined into and full justice done.

MR. M. HEALY: No answer has been made to the criticisms of myself and my hon. Friends. If the proprietors of papers have broken the law, what is the branch of the law against which they have offended? Is it murder, or forgery, or any other of the numerous offences which find a place under the wide and sweeping term "the law of the land"? Let us take the case of the *Cork Herald* or *Cork Examiner*. What branch of the law has the proprietor of either of these papers broken? Yet they are subjected to this mean and contemptible device of boycotting. Another branch of the law is criminal libel. Is that the particular branch of the law of the land which the Irish newspapers who are refused Government advertisements have violated? It is no answer for the right hon. Gentleman to say, "The newspapers have been violating the law of the land," unless we are told what branch of the law of the land it is they have been violating. If the proprietors of the papers I have named have been guilty of illegality how is it that no member of their staff has been prosecuted? We all know that the Chief Secretary is a firm upholder of law and order, and would not allow illegality to go on for years and years without taking some steps to vindicate it. I am sure the right hon. Gentleman cannot regard the mean and contemptible device of stopping advertisements as the best means of vindicating the law. If the law has been broken, why does he not prosecute the proprietors of these newspapers? The right hon. Gentleman tells us that the officials of the Local Government Board undertake to hear and determine *in camera* the question whether newspapers have broken the law. I would ask the right hon. Gentleman to tell me in what manner the *Cork Herald* or the *Cork Examiner* have broken the law, and why, if they have broken it, proceedings have not been taken against them?

Mr. A. J. Balfour

*(6.32.) MR. KNOX: I should like to ask the right hon. Gentleman a few plain questions. The first is whether the rule he has laid down that no paper, the proprietor of which has committed a crime, is to get Government advertisements, is applicable to every crime? Does it apply to the crime of libel in England as much as to the crime of conspiracy or the publication of meetings of suppressed branches of the League in Ireland? Has he considered, with the right hon. Gentleman the President of the English Local Government Board, whether the same principle is to apply to advertisements issued by the English Board? If it is to be applied to both countries, we in Ireland will have no special ground of complaint. If, however, the right hon. Gentleman lays down that the rule shall only be applicable to Ireland, I want to know what becomes of his promises of equal laws for England and Ireland? I should like to know also how the right hon. Gentleman is giving notice of events of which he is bound to give notice in districts where the only newspapers with any considerable circulation are papers which, according to his theory, have broken the law? Is he going to publish official newspapers for the purpose of bringing the advertisements before the public? And if the right hon. Gentleman deigns to answer these questions, he might also give some reply as to the case of religious intolerance which I brought before him, and which, owing no doubt to inadvertence and not to intentional discourtesy, he has omitted to mention.

(6.35.) MR. CLANCY (Dublin Co., N.): A surprising statement was made by the right hon. Gentleman the Chief Secretary a short time ago. He said that no question of politics entered into this matter. That reminds one of the statement that no question of religion enters into Jury-packing. If no question of politics enters into the question, how is it that everywhere throughout Ireland, since the right hon. Gentleman has been and before he was at the Irish Office, the only newspapers that have got the Government advertisements are the Conservative papers? We know that in every department of Dublin Castle the officials discuss among themselves what are the politics of the various newspapers, and in every case, unless there

be special reason to the contrary, we know that the fact of a paper being Nationalist or not decides the question whether it is to get the advertisements. It is utterly ridiculous and preposterous to pretend the reverse. We know that the question of politics enters into the matter of giving advertisements, and we shall not hesitate to express our opinion here with regard to it on every possible occasion. The thing has been aggravated, and the injustice and scandal have become perfectly flagrant under the administration of the right hon. Gentleman. The right hon. Gentleman asked for a case in which advertisements have been refused to a newspaper that has not broken the law. There is the case of Mr. Condon, the proprietor of the *Carlow Nationalist*. He was merely asked to give securities for good behaviour, and, as has been admitted in this House, that is not even a punishment. It was not alleged that he had broken the law, and he has not broken the law since, because if he had, I suppose the right hon. Gentleman would have prosecuted him under his Coercion Act. Then there is the case of the *Leinster Leader*. What crime has that paper committed that it should be deprived of all the Government advertisements? It will not do for the right hon. Gentleman to ride off on State platitudes and generalities, by saying that no man is deprived of an advertisement who does not break the law, when he knows that, as a matter of fact, the assertion is completely without foundation.

(6.40.) MR. A. O'CONNOR (Donegal, E.): When the right hon. Gentleman expressed surprise at the suggestion that politics were taken into consideration in deciding in what newspapers these advertisements should be inserted, he seems to have forgotten the admissions which, since he has been a Member of the House, has been more than once made from that Bench. Some years ago, the distribution of advertisements was looked upon as one of the spoils of office; for with the event of a new Government, a new list of newspapers to which the Government advertisements were to be given was drawn up in every large public Department. It is only within comparatively recent years that the system was abandoned in this country, and a general approved list of newspapers, irrespective of politics, to which Government advertisements were given, was adopted and sanctioned by the Treasury. The system which used to be recognised in this country, and is now abandoned, is still in full force in Ireland. The right hon. Gentleman says he is responsible for what he calls the principle involved in the Minute; but he went on to say that the Local Government Board had full discretion in the matter. It is with a very large amount of discrimination and discretion that the principle involved in the Minute of the right hon. Gentleman is applied in Ireland. It is applied in such a way that a considerable number of narrowly circulating newspapers are kept in existence. There are a number of small papers in Ireland which could not continue without the subsidy which is given to them by means of public money, partly through the Local Government Board. But I object to the passing of this Vote without distinctive challenge on wide grounds. The Local Government Board is charged with the duty of looking after the administration of the Poor Law in Ireland. The right hon. Gentleman justifies the dismissal of the Cork Board of Guardians and their displacement by three salaried officers on the ground that the Board neglected their duty. My charge against the Local Government Board is that it neglects its duty as a Board. Its administration is not only of an autocratic but of a very selfish character. One would suppose that the chief care of the officers of the Local Government Board was to secure themselves in the salaries which they draw, and that the duties which they are supposed to discharge are matters of a very slight importance in comparison. Of the £39,000 or £40,000 which is asked for £31,000 is set down for salaries. If the Local Government Board in Ireland had discharged its duty to the poor people their condition would be very different. One of the well recognised and fundamental principles of the Poor Law administration in this country is proper classification and separation of the inmates of the workhouse. I invite any one to inspect some of the workhouses in the West of Ireland. There he will find there is no classification whatsoever worthy of the name. It is perfectly true that there is

a division of the sexes. The adult males are separated from the adult females, but the playground used by the children of both sexes is also used by the insane females. The Local Government Board has had its attention directed to the point year after year for the last 10 years, and yet the same bad system continues. Take the case of the food of the people. There is a Return in the Library of the House, which I moved for some years ago, and which sets forth the amount of food and its kind in each of the unions in Ireland. The quantities shown in that Return are startling. I have had a rough analysis or commutation made of the amount of nutritive elements in the quantities of food allowed to the poor people, and I am assured by competent medical authorities that the supply of nitrogen and carbon in the bread and milk allowed is not sufficient to keep an adult person in normal health even without any labour at all. The people in the workhouses, especially in the West, are kept on so low a scale of diet that it is marvellous how they continue to live at all. The condition of the people is deplorable, not only in regard to food and want of classification, but also in regard to the life they lead in these institutions. To see men wandering about aimlessly and hopelessly unoccupied from morning to night is something shocking. You have Inspectors whose duty it is to see to the condition of these people. What have these Inspectors ever reported about the want of occupation? Not a word. Another branch of the Poor Law administration is the supply of medicines to the poor. In this Vote you ask for salaries for Medical Inspectors. I should suppose one of the elementary duties of these Medical Inspectors is to see that the medicines are what they ought to be. I submit that that is an absolute impossibility, at any rate in some cases. I hold in my hand a list of the prices which one Board of Guardians have recently accepted as contract prices for the supply of drugs to the workhouses, and also a list of the prices charged for the same articles at the Apothecaries' Hall, where the prices are regarded as trustworthy and standard. For spirits of ammonia the Apothecaries' Hall charge 3s. a lb., but the drug is supplied to the Board of Guardians in question at 1s. per lb. Camphor liniment is charged for at the Apothecaries' Hall at the rate of 2s. 8d. per lb., but it is supplied to the Guardians at 8d. per lb. Cod liver oil is supplied by contract at 2s. 6d., whereas at the Apothecaries' Hall the charge is 6s. Mercury pills cost 2s. 8d. per lb. at the Apothecaries' Hall, but under contract the charge is 10d. per lb. The charges in the case of ointment are respectively 2s. 6d. and 1s. The fact is that what the contractor supplies are inferior or spoiled articles which are of no value whatever for remedial purposes. Connected with this matter is another: the places at many of the dispensaries in which the drugs are kept are quite unfitted for the purpose. Many of them are exceedingly damp, and the Local Government Board Inspectors seem to take absolutely no notice of the condition of the places. Even when the drugs have lost all their virtue they are dispensed. Again, I would like to say a word as to the removal of paupers of Irish birth from Great Britain to Ireland, while there is no corresponding relief for Ireland in the case of English people who have got into Irish workhouses. What is the use of the Reports made upon this subject if the Government is never to be moved. Over and over again the Local Government Board has reported upon the extreme grievance on this particular point under which Ireland suffers. The Chief Secretary has admitted the grievance in this House within the last month. The Attorney General for Ireland has admitted the grievance, yet we have a continuance of it. The grievance has been removed in England and Scotland, but Ireland is still left to suffer in the matter. In a workhouse in my own constituency there is a family of persons. There are five children, not one of whom was born in Ireland; and yet, because the father happened to be born in Ireland—he was employed in Deptford—the wife and these children, who were left in Glasgow, were transported to the charge of the Letterkenny Union. The injustice of that is recognised by the Government, but they decline to bring forward any measure to put a stop to it. The poor of Ireland are utterly neglected by the Local Government Board. For the reasons I have mentioned I cannot allow this Vote to pass without any challenge. I,

therefore, beg to move to reduce Item A by the sum of £2,000.

Motion made, and Question proposed, "That Item A, Salaries and Wages, be reduced by £2,000."—(*Mr. Arthur O'Connor.*)

(6.56.) DR. TANNER: There are one or two points in connection with this Vote I desire to refer to. Colonel Speight is the Inspector of the Board told off to attend the Cork Union. Upon the occasion of his visits to the City he always frequents the most Conservative places. He takes up his quarters at one of the Conservative Clubs in the City, and dates his letters from there. It would be much more decent if an official paid by all parties took up his quarters at a more fitting place. The salaries of four Medical Inspectors are asked for in the Vote. I cannot help thinking one Medical Inspector could do all the work. What is the use of engaging four Medical Inspectors who all live in Dublin, and only leave that city upon very special occasions indeed. It is ridiculous to draw such salaries for medical inspection. I can speak with emphasis from my own experience when I say that usually when these Inspectors come down to a locality their work is practically *nil*. They have nothing to do. They come as a matter of form and ceremony, and they sit in a chair by the Chairman of the Board for half-an-hour, and then they go back again, having done their duty for that day. I am really convinced that two if not one Medical Inspector would be sufficient for all the Poor Law business. Then, again, there are the Engineering Inspectors and the Assistant Engineer Inspector. What their duties are I scarcely know, for we never meet them anywhere. I am happy in the acquaintance of one of these gentlemen, and I know that he has a fair salary, and that he has other business. Two of these Inspectors get £600 between them and their expenses being paid, but it is simply ridiculous that this money should be paid for doing no work. I cannot but think that if some inquisition were made into these Estimates we should find that many of these salaries are simply means by which return is made for services rendered to the Government or the Tory Party in the past, and there is ample verge for largely cutting down expenditure. Certainly, I am at one with my hon. Friend who has moved in this matter. I know that a number of these gentlemen are enormously overpaid, with little or nothing to do. I can only speak now as an ex-Poor Law Guardian, for my occupation is gone, the right hon. Gentleman having suppressed our Board, but I can say that during a four years' attendance on the Cork Board I do not recollect the attendance of an Engineering Inspector, and the only occasion when I have found one at work was recently at Limerick. Something certainly ought to be done in the way of retrenchment under this Vote. With two Inspectors drawing £300 each I do not think it can be necessary to appoint a temporary Assistant Engineering Inspector at £100. I am convinced that this Vote covers a great waste of public money, money which is simply paid away for the purpose of keeping Toryism alive in Ireland. It is a feeble and unsuccessful attempt too. I sincerely hope that full light will be thrown upon this matter, and that the English people will come to understand it.

(7.5.) Mr. WILLIAM HENRY SMITH rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

(7.10.) The Committee divided:—Ayes 182; Noes 118.—(Div. List, No. 187.)

Question put accordingly, "That Item A, Salaries and Wages, be reduced by £2,000."

(7-20.) The Committee divided:—Ayes 124; Noes 186.—(Div. List, No. 188.)

Whereupon Mr. WILLIAM HENRY SMITH rose in his place, and claimed to move, "That the Original Question be now put."

Original Question put accordingly,

"That a sum, not exceeding £102,602, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1891, for the

Salaries and Expenses of the Local Government Board in Ireland, including various Grants in Aid of Local Taxation,"

and agreed to.

2. Motion made, and Question proposed,

"That a sum, not exceeding £24,661, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1891, for the Salaries and Expenses of the Office of Public Works in Ireland."

(7.30.) MR. PARNELL (Cork): I think the system under which this Vote is left to be explained and decided by the Secretary to the Treasury is a very injurious one to the very important interests which are dealt with in Ireland by the Board of Works. The Secretary to the Treasury is, from the nature of his position, unable to devote that attention to questions connected with the Irish Board of Works that might be expected from officials on the spot, and we always feel that in pressing him for information, that although we have to acknowledge his uniform courtesy and his willingness to do the best he can, yet that his good intentions do not cover his failure to deal with important subjects in a manner to which they are justly entitled. The responsibility of the Treasury, of course, in reference to matters connected with public works is great and important. I do not criticise the right of the Treasury to be represented on this Department to the fullest extent, but I think that an arrangement which practically leaves the whole care of this Department to the right hon. Gentleman, and the defence of its work and proceedings to him, is most faulty and not entirely to the advantage of the Board of Works, preventing a satisfactory result being arrived at. The Government of Ireland is a government by Boards. We are the most be-Boarded country in the world, and instead of having all these Boards represented by the Chief Secretary and the Secretary to the Treasury, we require, at least, two or three Ministers whose duty it should be to deal with the important subjects that come under the consideration of Parliament in connection with these Boards. This is especially true as regards the Board of Works, the Government Engineering Department for Ireland. Ireland is a country which requires greater attention, greater knowledge, and capacity in an Engineering Department than any country with which I am acquainted, owing to the backwardness of its resources, the total want of development of industrial works, and other circumstances, with which the Committee have been made familiar from time to time. We have a very good illustration of the want of attention and want of knowledge on this Board in what has not happened, —we have had no introduction or explanation of this Vote. This is a Vote for £37,000 for the salaries of this Government Engineering Board, to which is entrusted such important matters as the direction and construction of sea harbours, piers for fishery purposes, the issue of loans to tenants under the Land Act for the improvement of their holdings, and, further, the direction, to a very large extent, of the policy involved in the construction of Light Railways in Ireland. Yet we have had not a word of introduction or explanation from the Chief Secretary or the Secretary to the Treasury. I should have thought that on the occasion of introducing this very interesting subject, a subject which the Chief Secretary has specially marked as his own, the discussion of the expenses of this Engineering Board, which has for its duty the superintendence of these works for the improvement of the industrial resources of Ireland, upon which the Chief Secretary counts so much, we should have had some general statement as to the work of the past 12 months. But we are left absolutely to pass the Vote without any explanation or information as to the current year, except such as is contained in this small paper which has been issued. We are without information on these three important subjects, to which I have alluded, the erection of fishery piers, loans to tenants for the improvement of their holdings, and the intention of the Government as to the construction of Light Railways and Tramways in Ireland. Now, I am not myself competent to go into any of these subjects, for the simple reason that I am without information. I know something of the Board of Works in times past, I

know something of its failures in reference to particular works that have come under my knowledge, but again and again we have complained strongly of the total absence of information with which we are asked to approach this Vote, either from documents or statement by the official charged with getting the Vote through the House. With regard to the question of Fishery Piers and Harbours, of which I shall have to say something in detail by-and-by, I want to say generally that I think it would be most desirable if the Chief Secretary would obtain some information for the House before next Session, so that we may know what we are about. He has placed in the Land Purchase Bill a clause of a very vague and nebulous character relating to fishing in the West of Ireland, of a skeleton character, which I suppose is intended to be filled in, and I earnestly hope that in the interval before we have this Bill before us, he will take steps to inform himself and this House as to the capacity of the Irish coasts for the development of sea fisheries, and as to the necessity which exists for the extension of work begun in 1883, and for which a sum of £250,000 was voted by Parliament for fishing piers and harbours, how far the work has been successful for the object in view, how far the money has been properly spent. I would suggest that he should appoint a Royal Commission for obtaining this information, by evidence taken on different parts of the coasts, so that when we meet again Parliament may have a record of the work of the Department. I would also suggest that proposals for this subject should be kept apart from other matters in the Purchase Bill, and dealt with free from political excitement and prejudice. The development of sea fisheries in Ireland is a matter of enormons importance to the country, and it is an object upon which Imperial money might be advantageously laid out, judiciously and after suitable inquiry. A proposal of the kind might result in benefit to the country and satisfaction to this House. It is a subject removed from Party politics, and one which, if the Government obtained full and necessary information, might well be dealt with in the coming Session. With regard to the Board of Works, and its failures from an engineering point of view, I regret, I exceedingly dislike, to be obliged to attack by name any officials in Ireland connected with the Board, and I do not propose to do so on the present occasion. I desire to hurt nobody's feelings, but I state, as a fact which has been abundantly proved, that the Board of Works has failed, both in design and in execution, with regard to the works entrusted to its care, and the money of Parliament has been scandalously wasted in a fashion which, as regards those instances which have come under my knowledge, appears to me most extraordinary and unreasonable. It is impossible to suppose that the mistakes of the Board are entirely due to ignorance, and I am driven to believe that the incapacity is due to a want of care on the part of the permanent officials, who are directly accountable to none, who have no representation in this House, and who, from long habit, have become careless as to the result of their actions. They simply sit in their office, make proposals, and draw plans, without any regard whatever to the actual local conditions, which ought to be considered before any engineering works are undertaken. I would instance two cases, with which I am well acquainted, as examples of the statement I have made as to incapacity or negligence in fulfilling the first duty of an Engineering Board. Let me take the example of Arklow Harbour, in County Wicklow. For the improvement of the fishery pier there Parliament in 1882 or 1883 voted a sum of £35,000. The result of that expenditure may be indicated by stating that where, according to the Admiralty charts, there was a depth of 20ft. of water at low tide before the expenditure, there is now only a depth of 4½ft. So your £35,000 have been spent in diminishing the depth of water at the entrance of the harbour by 15 or 16 feet, or at the rate of something over £2,000 for every foot shallowed. I believe this is the result going on all round the coast to a greater or less extent. It has certainly been the case with regard to the Harbour of Greystones, another example in County Wicklow. This harbour, before the expenditure of £13,000, had a depth of five or six feet at low tide, but a pier

was built out into the sea, and the result has been to turn what was before pretty safe anchorage for small coasters into dry land. But, as I say, we are without information as to the expenditure of £250,000 upon fishery piers and harbours, of which Greystones is one. The Board of Works takes very good care not to give us this information in this Return of four pages put before us. They deprive us of the means of checking the conclusions they come to that the works are in good order, and that they have fulfilled the objects for which they were erected. The Return issued by the Board states that they have built 39 harbours and nine boat slips. The depth of water at low spring tides at the pier heads is given, but in 33 out of the 48 works the ground is dry at low spring tides at the heads of the piers. In eight of them there is a depth of from two to four feet, in eight a depth of from four to six feet, four from six to eight feet, one from eight to 10 feet, four from 10 to 12 feet, and one from 12 to 14 feet. So that out of the total number there are only 18 of sufficient depth to admit the ordinary class of fishing boats. In 33 there is no water at all at low spring tides, and in eight only a depth of from two to four feet, so that in 41 cases, the works are perfectly useless for the purpose for which they were projected. The Committee ought to be informed what is the state of things before more money is spent, and I hope that the Secretary to the Treasury will be able to mention some of the practical advantages which the fishermen and boatowners have gained by these works. So far as my information goes, the practical advantage is non-existent. There is too much reason to fear that this large sum of £250,000 has gone the way of the rest of the expenditure entrusted to the Board of Works in past years in works to a large extent useless, and often mischievous. I beg to move the reduction of the Vote by £1,000.

THE CHAIRMAN: Before I put this reduction, I must point out that this is a Vote for the *personnel* of the office of the Board of Works, on which it is perfectly relevant to discuss the organisation and administration of the office; but there is a special Vote for the works themselves, and, therefore, to examine the details of the works, would not be relevant to the Vote.

Motion made, and Question proposed, "That a sum, not exceeding £23,661, be granted for the said Service."—(*Mr. Parnell.*)

MR. PARNELL: I may be allowed to explain that the object of my remarks, with regard to the works, was to impeach the designs of the engineers of the Board of Works. The construction of the works had probably been sound, and the materials good, but I chiefly complained of the selection of the sites and the designs adopted by the Board as unsuitable, and made without the knowledge of the local effect of the action of the tides, waves, and winds. I respectfully submit that, as far as the engineers of the Board of Works are concerned, I should be in order in discussing the policy of the designs, for which they are responsible, and that I should not be in order in discussing it on the question of the actual provision of the money for erecting the works in these places.

THE CHAIRMAN: I perfectly understood the purport of the hon. Gentleman's speech, and I did not interrupt him, because I thought he did keep within the scope of the Vote. My observation just now was to prevent, by anticipation, discussion travelling outside the Vote.

*(7.59.) THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I have no reason to complain of the tone and manner in which the hon. Member has brought forward this question. It may be that some better plan might be found than that of making the Secretary to the Treasury answer for the Board of Works in Ireland. That is a question of policy which has been present in the minds of the Government for some time, and possibly arrangements might be made which would give the Government the assistance of some one with more detailed knowledge of the works of the Board than the Secretary to the Treasury can have. The hon. Member has

just referred to Arklow, and he stated that formerly there were 20 feet of water where now there is much less. I have examined the Papers, and endeavoured to obtain the best information I could, both as to the condition of things which existed formerly, and that which exists now, and I think the facts show that before this pier was built, there was often very little water for boats coming into the harbour. I am glad to have the hon. Member's testimony that the work has been well constructed, and he has neither found fault with the material nor the construction. He makes complaint of the design and the situation. At the time when these plans were put forward, according to the information I have obtained, there was considerable local opposition to the building of the north groyne. The Board of Works, it is only fair to say, adhered to the opinion that a north groyne was necessary, so as to make a certain amount of scour from the river; and I am not prepared to say that the information I have received from them leads me to the conclusion that there will not be, from time to time, some bar made outside the harbour, but so far as the entrance to the harbour is concerned, I believe the position of matters is very much improved. The Board of Works have consistently adhered to the view that a north groyne is necessary to complete the work, and that it would enormously improve the entrance to the harbour.

MR. PARNELL: Will you build it?

*MR. JACKSON: Under the Special Act, which the hon. Gentleman has quoted, there is a certain amount to be applied; and the Act contains a clause that, if the expenditure includes a certain sum, any additional expenditure shall be borne by the locality. From time to time there have been negotiations with the view to obtain for the locality authority to go on with the work.

MR. PARNELL: The right hon. Gentleman perhaps knows that the locality were prepared to go on with a certain portion of the work. Was ever any proposal made to the locality to accept the whole burden rendered necessary by the engineering failure of the Board of Works?

*MR. JACKSON: I do not want to go too much into detail; but I am under the impression that that statement is not quite correct. I think there has been a suggestion made—

MR. PARNELL: Not by the Treasury.

*MR. JACKSON: As is known, there are on the spot blocks of concrete which clearly belong to the harbour works, and if it had been possible, while the works were in construction, to have utilised part of the plant of the contractor who built the main pier, no doubt a saving would have been effected as compared with what would be the case now, if these blocks were utilised. I believe the estimated value of the blocks is something like £4,000 or £5,000, and in all probability, according to the best information I can obtain, £4,000 or £5,000 additional would about cover the cost of building the north groyne. I hope it may be found possible in some way to complete this work, because we are entirely at one that this north groyne would be a great advantage and ought to be constructed. And it would, I think, have been constructed in the first instance had it not been for the local opposition. The hon. Member has referred to Greystones. I am willing to admit frankly that the work at Greystones has not been successful. I make the admission at once, because I honestly believe that it ought to be made; and, I believe, the Board of Works would be quite willing that I should make that admission. There have been difficulties, which some people, perhaps judging by the light of subsequent events, say should have been foreseen. With reference to the harbour at Greystones, I would remind the Committee that there has been a tremendous movement of shingle. I may note that the railroad at the top of the cliff has been taken further inland, the company finding it cheaper to undertake that work than to protect the cliff from the action of the sea.

MR. PARNELL: The movement of shingle has been always going on.

*Mr. JACKSON : I know that some people hold the view that this movement of shingle ought to have been ascertained and appreciated at the time. I say comparatively little about that, because I do not believe I have got a very good answer. At the same time, I think there is this to be said, that the movement of shingle has been much more severe than was contemplated at the time, as evidenced by the removal of the railroad. As regards Greystones, I have done what I could to make myself acquainted with the facts. I have met the hon. Member for the division on the spot. I heard what the local people had to say, and the Board of Works suggested that a temporary groyne, such as may be seen round the south coast of England, should be thrown out, as a defence against the shingle tilting up. On the part of the Treasury, I sanctioned the expenditure for that; but the people of the locality objected to the work, on the ground that it would interfere with their fishing nets. The work was, therefore, abandoned. I make no complaint of the local opposition, because, if the people haul their nets along the coast in pursuit of their fishing industry, there is no doubt that such a work would be, to some extent, injurious. The question is, What is to be done? The Board of Works say there is only one course to be taken, and that is, to build another pier or groyne, so as to check the movement of the shingle. That is estimated to cost about £7,000; and I have been for some time endeavouring to make the best arrangements I could. I do not hesitate to say that I was sanguine of getting help from the locality at one time, but I have not been successful in that. I have been in communication with the Irish Government, who have a surplus at their disposal and I may say that I have obtained the sanction of the Irish Government to the expenditure on this groyne, and I hope that may prove successful. I have shown the Committee, I think, that, notwithstanding want of knowledge in such matters, I have endeavoured to do the best I could to remedy what, I am bound to admit, has been an unsuccessful work. I do not say the same about Arklow, because, as far as I can judge after visiting it, the work is a substantial work, and I hope that, if it be possible to build the north groyne, we may have a great improvement there. The hon. Member referred to the account which was presented to the House with a view of giving it full and detailed particulars on the expenditure of those fishery piers under the Sea Fisheries Fund, and he has criticised rather severely the design and situation of those piers. It is only fair to the Board of Works that I should say that, as far as the responsibility of that Board is concerned, it is entirely limited to carrying out the works approved by by the Committee, because, as the hon. Member will have noticed, it is stated that the arrangement was, that the Fisheries Commissioners should recommend the sites, the works being carried out by the Board of Works. I believe it to be the fact that in all those schemes the action of the Board of Works has been limited to the preparation of the plans and designs for works to be erected on sites selected by the Fisheries Commissioner. Those plans and designs had to receive the approval of the Fisheries Commissioners before they were carried into effect; and when this approval was given the work was carried out under the control and superintendence of the Board of Works. I would here draw the attention of the Committee to a point which I cannot but feel redounds greatly to the credit of the Board of Works, and it is with regard to the manner in which they have carried out the works entrusted to them within the total amount of the Estimate. Everyone who understands anything about the matter will, I think, admit that large estimates for works connected with marine structures are necessarily of a somewhat hazardous character, and that it not unfrequently happens that works of this kind, especially when carried out on an extensive scale, as has been the case here, are not carried out within the estimates. In this particular case, however, the total original cost was estimated to be £239,215. These works have been carried out and completed, except in the case of four works which have since been inserted at a cost which would

bring up the total estimate to £240,000. The Board of Works have done things that were not included in the original estimate, but which were found to be desirable during the progress of the works originally sanctioned. This additional work has cost nearly £20,000, yet it has all been done within the sum originally estimated. I have had some experience in carrying out marine estimates, and I repeat that from my experience it redounds to the credit of the Board of Works that they have been able to carry out those works practically within the estimates. Of course, there have been savings in some cases and excesses in others; but, taking them altogether, the works have practically been completed within the amount originally estimated. The hon. Member has called attention to the fact that a considerable number of these piers were dry at the entrance during low water. I may state that, according to the information given to me, out of 40 fishing piers in Scotland there are only two which have any water at low water in spring tides. I can also speak from my own knowledge of a good many places in England where a considerable amount of fishing is carried on there is also no water at the piers at low tides. I do not, however, believe that this fact seriously interferes with the fishing interest.

MR. PARNELL: Were those piers in Scotland carried out at the public expense?

*MR. JACKSON: They were carried out by means of money voted by Parliament; but I was going to show, in answer to the hon. Gentleman, that if it be a fact there is no water at some of these piers at low water at spring tides, this is not a condition which is at all unusual or exceptional, inasmuch as in many other districts the same condition of things appertains, and that notwithstanding the fishing which is carried on is reasonably successful. I think I have now answered the several points raised by the hon. Member. I hope I have given him satisfactory replies with regard to Greystones, and also with regard to Arklow, and that with regard to the carrying out of the works recommended by the Fisheries Commission. The Board of Works deserve not blame but credit for having effected those works within the original estimates and with but comparatively little complaint.

MR. PARNELL: What about the light railways?

*MR. JACKSON: I beg the hon. Member's pardon; I must accept the proposition put by the hon. Gentleman that it is desirable that something should be said with regard to them. I would, however, point out that I have already stated in answer to the hon. Member for Longford that the right time for making a statement with reference to the light railways would be on the discussion of the Vote for which the sum of £50,000 is provided. That is the only reason why a statement on the subject has not been made to-night. (8.25.)

(8.56.) MR. CORBET (Wicklow, E.): There are one or two points which have been touched upon by the Secretary to the Treasury about which I desire to say a word. He dwelt very much upon what he thought was the fact that the people of Arklow opposed the plans of the Board of Works. Now, I have in my hand a Memorial from the shipowners, merchants, and traders of Arklow, addressed to the Board of Works, and in it they say the plans of the Board of Works were objected to by a few people who were not of much account, and pray that—

> "When a reference is made to you from the House of Commons or elsewhere, you will, in the interest of all concerned, and in justice to the guarantors, who were instrumental in getting the grant and loan, adhere to your original plan and, if any slight change is made, instead of abolishing the north groyne, raise it about two feet higher and insert in it a post to allow vessels to remain fast."

Yet the right hon. Gentleman stated that the reason why the north groyne was not made was that the people of Arklow opposed it. I would ask the right hon. Gentleman to complete the harbour at Arklow on the plan originally made. He stated just now that there were between £4,000 and £5,000 worth of concrete blocks

unused. Those blocks are lying upon the shore now, and in addition to this loss there was £5,000 spent on the repair of the breakwater before it was more than half finished. My contention is that the £4,000 or £5,000 spent uselessly in making these blocks and the £5,000 spent in repairing the damage done would have been ample to complete the harbour according to the original scheme. Not a stone of the North Groyne has been laid. In fact, the *débris* of the old construction lies as an obstruction in the fair way, and it is a peril to the boats on coming in and going out. The people there are very heavily weighted by the £20,000 they guaranteed to pay, and seeing that almost £10,000 of the money provided in the first instance has become derelict, I do think the Treasury ought to complete the harbour according to the original design. After the way in which the right hon. Gentleman has dealt with the subject of Greystones, it would be ungracious of me to make any comments on it. We have had to wait a good while and to make many applications; but I thank courtesy the right hon. Gentleman for the and the invariable interest he has shown in the matter. To return to Arklow, the harbour works were badly done in the first instance, and I myself have seen the water washing through and through the pier. The fact that it was necessary to spend £5,000 in repairs is proof enough of how badly the work was done in the first instance. Considering the great interests that are involved, Arklow being the principal fishing station on the East Coast, I do hope the right hon. Gentleman will make an effort to have the works completed in accordance with the original contract.

(9.7.) MR. PINKERTON (Galway): The right hon. Gentleman said the responsibility of the Board of Works is confined to the plans and specifications.

*MR. JACKSON: No, I did not say that. I said our responsibility was limited to preparing the plans which were approved by the Fishery Commission, and to carry out the works.

MR. PINKERTON: Am I correct in understanding that the responsibility rests with the Board of Works of approving all the plans submitted to their consideration?

*MR. JACKSON: Well, of making them.

MR. PINKERTON: That is exactly the responsibility I wish to father on the Board of Works. I put a question on the Paper on Friday about Galway Harbour.

*MR. JACKSON: Of course, the harbour of Galway is not included in these Votes. It belongs to the Harbour Commissioners.

MR. PINKERTON: The position of this Harbour Board is very curious. They have incurred a debt to the Board of Works, who have appointed a receiver, and, therefore, I think I am entitled to consider the action of the Board on this subject under this Vote. I find that in 1880 £45,000 was borrowed from the Board of Works. Two engineers submitted plans to the Galway Harbour Commissioners, and Mr. Price was selected to execute the work.

*MR. JACKSON: I think the hon. Member is mistaken about that. The Harbour Commissioners employed an engineer to make plans. Those plans were submitted to the Board of Works, and the Board of Works was asked to lend money. The Board had no responsibility for the design.

MR. PINKERTON: I said two engineers were asked by the Commissioners to supply plans, and Mr. Price was finally selected to act as engineer. Plans and specifications were submitted to the Board of Works and approved by them, and £45,000 were expended in constructing a harbour of a very peculiar character. A deep dock was constructed, but the water was 10 feet deeper than the entrance channel. We are told the Government are not to blame for harbours silting up, but at Galway they have neglected to take the precaution to provide any channel to the dock. The right hon. Gentleman is probably aware that the Galway Harbour Commissioners were not perfectly unanimous with regard to the propriety of expending this money, and that it was only after the approval of the Board of Works was given that a resolution in

favour of the expenditure was carried by a single vote. The expenditure has not benefited the town in the smallest possible degree; in fact, at the present moment, the Board of Works find it necessary to have a Receiver and to reduce the salaries of all the officials. In order to effect economy they have refused to sanction a grant of £40 for the lighting up of the harbour, and, as a consequence, several persons have recently been drowned in the dock. You have two courses open to you: you should either spend more money in deepening the channel, or relieve Galway of the payment of the debt. I do not hold the Government responsible for any silting up. There is a possibility of any harbour, however well constructed, silting up in consequence of the action of the waves. I know a harbour constructed under the Irish Parliament which is now a grazing field. But with regard to the Galway Harbour the Government have no excuse to offer, and I ask the right hon. Gentleman either to indicate his intention of spending more money in deepening the channel, or of relieving the people from the responsibility of paying the debt.

(9.15.) COLONEL NOLAN (Galway); I can corroborate all my hon. Friend has said, and I think I can give another reason why the Secretary to the Treasury should take the case of the Galway Harbour into consideration. The harbour is actually in the hands of the right hon. Gentleman, or in other words of the Board of Works, of which he is the head. The dock was, to a great extent, executed as a relief work. It was commenced at a time when there was a great need of work in Ireland, and it was necessary there should be a large scheme of emigration from Galway or the provision of public works. The Harbour Commissioners built a really very fine dock considering the place, but they forgot the entrance. The dock is very nearly useless at present, but the thing could be easily remedied if the Secretary to the Treasury would make some effort to deepen the channel. The original grant has been expended, but certainly public money could not be better expended than in providing this channel. I have no connection with the Arklow Harbour, but the Secretary to the Treasury has admitted that something ought to be done there, and has expressed a strong wish to find a fund. The sum of £8,000 used to be voted annually out of Imperial Funds for harbours in Ireland; but unfortunately the late Mr. Blake, who took the deepest interest in the fisheries, trusting to the generosity of the Government, thought that if the £8,000 was stopped for two or three years the Government would renew it. But at that time the Treasury were a little too clever for Mr. Blake. They said we will give you £250,000 out of the Church Fund—a purely Irish Fund by the way—on condition that we are allowed to stop the £8,000 which has been granted each year for the last 40 or 50 years. I believe Mr. Blake was under the impression that as soon as the £250,000 was spent the £8,000 would be renewed, and I think if the Secretary to the Treasury will consult with the President of the Board of Trade (Sir M. Hicks Beach) he will find that that right hon. Gentleman was under the impression that the £8,000 ought to have been re-granted to Ireland. The right hon. Gentleman certainly stated so in my hearing.

THE CHAIRMAN: This is a subject which does not properly come under this Vote.

COLONEL NOLAN: I was under the impression that the £8,000 was granted under the Board of Works Vote. [The CHAIRMAN: No.] The Secretary to the Treasury has dwelt at some length upon the exact responsibility of the Board of Works with regard to the plans of several harbours in Ireland. Experts differ as to how much water there should be at the head of the pier of a fishery harbour. If you can have eight or ten feet of water at low spring tide it is an overwhelming advantage, but, unfortunately, to secure that makes the harbour very much more expensive. I think the Secretary to the Treasury has under-estimated the Board's

responsibility as to the plans and designs of harbours. I have not seen the original Papers in the case of the Greystones Harbour, but I do not think the Board of Works ever pointed out that the shingle would be a serious obstacle. In the case of a projected harbour some miles from Belmullet, the Board did point out that the shingle would prove a great obstacle, and as a consequence the harbour was abandoned. The Board of Works were extremely jealous in regard to the construction of fishery harbours. The Fishery Commissioners were very anxious to get an independent engineer to advise them with respect to designs, but the Board of Works would not recognise any engineer but their own. Not only that, but the Board detailed junior engineers to accompany the Fisheries Commissioners when choosing the location of the harbour, and one of these engineers would not give advice. He used to transmit his views to the Chief Engineer in Dublin, and then the Chief Engineer was willing to place plans and designs at the disposal of the Fishery Commissioners. Under these circumstances, surely the Board were responsible for all the engineering defects. Unless it can be shown—and I do not think it can be—that in spite of the remonstrances of the Board's engineers the Fishery Commissioners insisted upon locating a harbour in a given place, the Board are clearly responsible. Now, there is a pier at Claddagh, the repair of which is estimated at £100. The head of the pier has settled down, and there is a large crack in the pier. The work of repairing will, in my opinion, cost more than £100, but it ought to be commenced at once. Surely the Secretary to the Treasury could find the money out of this £38,000. When this Government came into Office the noble Lord the Member for Paddington (Lord R. Churchill) spoke of simultaneity in the remedial measures which would be taken in Ireland and England. But the Government are not adopting such a policy. They are postponing the construction of harbours in Ireland, and I do not think there is any possibility of the harbours being completed during the tenure of Office of the present Government. If Parliament is really to do anything in this, I hope the Secretary to the Treasury will pay some attention to this part of the subject. I understand the Secretary to the Treasury deprecates discussion upon the subject of Light Railways on this Vote, and prefers that it should be deferred; and the right hon. Gentleman is so invariably courteous in all his business arrangements that, so far as I am personally concerned, I am ready to accede to his request, but I hope that we shall have due notice of the time when this subject is to be brought on, so that Irish Members may be able to take part in a discussion upon a subject in which much interest is felt. There is another point not of large importance, but important to the labouring classes, and it arises directly under this Vote, and that is, the expenses of engineering inspection in regard to the erection of labourers' cottages. The Board of Works is responsible for these expenses. The Secretary to the Treasury put the engineering expenses at about £2 10s., but they are really very much more, and I have seen vouchers for £4.

THE CHAIRMAN: This is a matter which should come under the Local Government Vote, not the Board of Works.

COLONEL NOLAN: The Board of Works find the engineers. If the Secretary to the Treasury agrees, then I will take the opportunity of raising the point on the Report of the Local Government Vote, but I hope Mr. Speaker will not then refer me back again to the Board of Works Vote. However, I will not continue my observations on that point now.

(9.32.) MR. PARNELL: Just a word or two in reply to the right hon. Gentleman. He seemed to be under the apprehension that I had admitted that the materials used in the works at Arklow Harbour were suitable and the work well done; but in referring to the materials of which works had been constructed in Ireland, and in admitting they were good, I had in my mind works under the Fishery Piers Act for which £250,000 was voted—not the works at Arklow Harbour. It was in reference to a point of order you, Sir, raised that it would not be in order to go into the question of the construction

of fishery piers, they having been constructed under a different Act to the works at Arklow Harbour. I have always maintained in the case of that harbour, and it is capable of proof, that the Board of Works committed great errors of judgment in the selection of site and in the method of construction adopted, owing to which the work either crumbled or was washed away. A concrete method was adopted and based upon a foundation of the most insecure character, and the repairs were executed with the most faulty and rotten material. In regard to what the right hon. Gentleman hopes may happen so far as Arklow Harbour is concerned, considering the years during which this matter has been brought forward from time to time, I think we are entitled to something more definite. The right hon. Gentleman hopes something will be done. Has he made up his mind that something can be done? The position of things is this —the Treasury refuses to make any further grant for the works, and says the whole of the expense should be borne by the locality. The locality, however, has refused to bear the whole of the expense, and asks that, at least, the Treasury should make a proportionate contribution to the cost. Up to the present time the Treasury has refused, and I wish to know whether the expression of a hope by the right hon. Gentleman that something may be done indicates that the Treasury are considering the desirability of departing from this resolution, and of taking any further share in the work.

*(9.35.) MR. J. E. ELLIS (Nottingham, Rushcliffe): The right hon. Gentleman will remember that in July last year I asked him whether he would consent to a Return giving particulars as to the amount of £4,000,000 advanced by the Board of Works for the improvement of landed property under 10 & 11 Vict., cap. 32. Is he now, as then, unable to assent to this Return being laid upon the Table? He has held out some hope that he would assent to it, though not in the form in which I asked for it. I know, from matters that came to my knowledge when in Ireland, that there is a very strong feeling that a good deal of this money has been wasted in the same way as advances for harbours. I feel that we should have the means of following the allocation of this money in the manner I suggested in my question on July 4 last year, that we should have a Return, giving the names and addresses of persons to whom advances have been made, the amounts, the dates and various particulars, so that we may, to a certain extent, follow this money. If the right hon. Gentleman says that the period of time over which this would extend is too long; if he says he cannot go back over 40 years, but that he might go back for five or ten years, that is quite another matter; but if he would assent to that, probably it might meet our purpose. From the point of view of the National Exchequer, and as representing those who have shared in these advances, I do think we are entitled to this information, and I must press for a reply whether the right hon. Gentleman will assent to the Return in the form I have indicated, or in what amended form?

(9.39.) MR. O'KEEFFE (Limerick City): As pertinent to the Vote under discussion, there are a few cases which have come under my observation in the South of Ireland which strongly confirm the statement of my hon. Friend the Member for Cork (Mr. Parnell) as to the incompetence and neglect of the Board of Works. The city I have the honour to represent has in the course of two years expended £40,000 on the repair of a portion of the dock wall, necessary through originally faulty construction. Nearly every pier on that important water way, the Shannon, is in the most defective condition. The harbour of Foynes is admitted by the Board of Works to be full of mud.

MR. JACKSON: I do not wish to prevent the hon. Gentleman speaking on this subject; but the harbour at Foynes, as I dare say the hon. Member is aware, is not under the Board of Works.

MR. O'KEEFFE: I pass from that. Passing westward, I may mention that there are two piers built at considerable expense, which, together with that at Tarbert, are fast crumbling into decay and will become ruins. At Kilrush, a rising town which has

recently been brought into connection with two railway systems, the pier accommodation is quite inadequate for the requirements of the district, and I am glad to see from the papers that application is about to be made for £30,000 for improving the harbour and allowing deep draught vessels to come in and discharge their cargoes. On the sea-coast we have ample evidence that the designs of the Board of Works have had no more success in the South of Ireland than elsewhere. There is another matter which has, I suppose, given rise to a hundred questions to the right hon. Gentleman—the works at Killaloe. The Board of Conservators complain that these works, carried out on what is known as Mr. Bateman's system, will result in great danger to important fishery rights in the Shannon, valued at £40,000 a year.

THE CHAIRMAN: This will come under the Vote for Works, in Class I.

MR. O'KEEFFE: The subject is so important that I will take another opportunity of referring to it.

(9.45.) MR. FLYNN (Cork, N.): North, East, and West the right hon. Gentleman has had his attention directed to examples of Board of Works mismanagement, and I have to refer to a notable instance in the South, in the often-mentioned Ballycotton Pier. I am aware that the right hon. Gentleman went very much out of his way to visit this pier, and doubtless he has all the circumstances in relation to the question in his mind. I will not go into these at length. If the Board of Works had paid attention, as it was their duty to do, to the complaints of the Grand Jury through their County Inspector as to the cause of the defects observable, there would have been no necessity for the visit of the right hon. Gentleman, or for the long newspaper correspondence and the long series of communications between the Board of Works and the County Grand Jury. With that sweet reasonableness that characterises him in this House the right hon. Gentleman will understand me when I say that the Grand Jury of the county could not have brought forward their complaints simply out of opposition to the Government, because the Grand Jury is an essentially conservative body, nominated, not elected, and not amenable to popular influence. When the pier was about to be handed over to the Grand Jury, that body, in accordance with their duty, sent down the County Inspector, Mr. Kirkby, to examine and report upon the pier. After a careful and lengthened investigation of many days, Mr. Kirkby reported against the Grand Jury taking over the work from the Board of Works. He reported the work defective in many respects, and advised the county not to incur the responsibility of repair and maintenance. Then the Board of Works, instead of sending down a competent man to overhaul the work, assumed a most truculent attitude, and insisted that the Grand Jury should take over the pier *nolens volens*, disregarding the Report of their Inspector. They went so far as to discredit Mr. Kirkby's professional capacity. They said he was utterly incapable of judging the character of marine works, and that he went outside and beyond his ordinary duties in making the Report he did. But, eventually, when they sent Mr. Wolffe Barry, the eminent marine engineer, he, after careful inquiry, found that the complaints made were well-founded to a very great extent, and that the defects indicated by Mr. Kirkby existed; that the platform of the pier had subsided owing to faulty construction, and that violent south-westerly gales had washed away the facing. Mr. Wolffe Barry made various recommendations, among others, that galvanised iron bands should strengthen the head of the pier. He also reported that the remains of the old pier should be removed if the pier was to be of any advantage to the fishing boats. Well, this went on for a couple of years, and I and my hon. Friend the Member for Mid Cork addressed frequent questions to the right hon. Gentleman, and I felt almost ashamed of pressing the right hon. Gentleman so pertinaciously. But, of course, we felt that it would be too bad if a public work intended to be a benefit for a large fishing population should fall into ruin owing to the reluctance of the Board of Works to move in the matter. At last there was this Report of Mr. Wolffe Barry, which, to a great extent, confirmed the Report of the Grand Jury Inspector, and I hope this will be a lesson

to the Board of Works to pay attention to the representations of Grand Juries and Local Authorities on these matters, though I am not sanguine that, constituted as it is, the Board of Works will ever learn from experience. I understand that the Treasury are about to advance a further sum for the removal of the *débris* of the old pier, which has long been a source of danger, and I hope the Secretary to the Treasury, in whom we have some confidence in these matters, will induce the Board of Works to carry out the other recommendations of Mr. Wolffe Barry.

(9.58.) MR. NOLAN (Louth, N.): There is a matter I desire to press upon the attention of the right hon. Gentleman, and I hope it may not be in vain; and that is the application made by the Commissioners for the erection of a pier at Blackrock, Dundalk. I know that before I entered Parliament a memorial was addressed to the Board of Works on the subject, but not a word have the people heard about it. I may say I have visited the spot, and I know the necessity for the fishing industry. There are, I am given to understand, no natural difficulties to encounter; the bottom is good, and there is a ledge of rocks which acts as a natural breakwater. I may mention also, though it does not concern this Vote, that a pier would be of great advantage for the launching of the lifeboat there, which is manned by the fishermen of the locality. Perhaps the right hon. Gentleman would consent to receive a deputation on the subject.

(10.0.) SIR T. ESMONDE (Dublin Co., S.): We have every reason to reciprocate the courtesy which the right hon. Gentleman the Secretary to the Treasury invariably extends towards Members on these Benches—a style which is not always adopted by his Colleagues. The right hon. Gentleman has the happy knack of giving the soft answer which turns away wrath, but I should like to remind him that soft words butter no parsley, and we shall feel bound to torture him if he will not give us some sort of satisfaction with reference to the work of the body in Ireland, of which at this moment he is the legislative chief. One is getting sick of calling attention to the case of Arklow Harbour, but it is necessary to do so again because we can get no satisfactory answer to our inquiries. I happen to be interested in the harbour, because I am one of those unfortunate individuals who have to pay for the incapacity of the Irish Board of Works. Money expended on this harbour has been practically thrown into the sea. We have no desire to obstruct the business of the House, or to waste time, but I think we have a legitimate and strong ground of complaint in regard to the incapacity of the Irish Board of Works. I should like to show how these things are done in Ireland, because I think the action of this Board will constitute a strong case for allowing us to manage our own affairs. Take, for instance, the case of the canal between Lough Allen and Lough Macucan. It was considered necessary to join these two lakes by a canal, and the Board of Works took the job in hand. The canal, as a result, was so exceedingly well constructed that at certain points there is no water at all, and at other points there is so much water that it is impossible for boats to pass underneath the bridges, while along the greater part of the canal there is no tow-path at all. Yet the people of the county through which the canal passes have to pay taxation for money which has been literally thrown away. This affords a very good exemplification of the beauty, wisdom, and common sense of British rule in Ireland. I hope that the Secretary to the Treasury will give his attention to the matters I have referred to.

(10.8.) COLONEL NOLAN: I desire to complain of the excessive character of the charges made by engineers in connection with the inspection of labourers' cottages. This is mainly owing to engineers being brought from a distance, and I would suggest that in future, wherever it is possible, local engineers should be employed. This would tend to promote the erection of labourers' cottages in districts in Ireland in which they are much required.

(10.12.) MR. CLANCY: I wish to join in the expressions which have

fallen from my hon. Friend with reference to the courtesy of the right hon. Gentleman the Secretary to the Treasury, but I fear he is too apt to padlock the bag containing the public resources, and to refuse to sanction expenditure when that might be advantageously allowed. Now I wish especially to refer to the case of Howth Harbour, as well as to that of Galway Harbour. I have been given to understand that when once a vessel gets into Galway Harbour it cannot get out again, while if it gets into Howth Harbour it cannot remain there. A year ago, by urgent pressure, I induced the right hon. Gentleman to make a grant for the purpose of clearing out the harbour, but only the entrance has been cleared, and the Government have refused to grant a single penny further to complete the work. The result is that though boats can now enter the harbour at low tide, they are, when once inside, in greater danger of being shipwrecked than they would be outside. This is no exaggeration, for I have frequently visited the harbour, which is in my constituency. I would suggest that out of the unappropriated proceeds of the extra duty on whisky a sum of £5,000 or £6,000 should be granted, in order to make this harbour safe for the vessels which have to use it. With regard to Galway Harbour, the policy of the Board of Works has been of a mean cheese-paring character. The low-paid officials have had their salaries reduced, while the highly-paid officials have had their salaries left untouched. Surely this policy of reduction should begin at the top instead of at the bottom. It is a humiliation to me and to the other Irish Members to be coming here to ask that these works shall be carried out, works which surely we ought to be able to deal with without coming to a House, three-fourths of the Members of which have no knowledge of the localities concerned. I hope that a future Parliament will remedy that state of things.

(10.20.) DR. TANNER: I wish to call attention to the case of Ballycotton Pier, which is in a very bad and dangerous condition. I was pleased that the right hon. Gentleman thought it right to visit the pier. Of course, he is not personally responsible for the jobbery which has taken place in connection with this pier, but I think we are entitled to remonstrate with him on his inaction. Would the right hon. Gentleman be surprised to hear that the centre of the pier has now become a lobster ground? It was originally filled up with earth and gravel, instead of with proper material; that filling up has been washed away, and, as I have already said, it has now become a bed for crabs and lobsters. Captain Mount, a large landed proprietor and a Conservative, who contributed a considerable sum towards the cost of erecting the pier, has again and again expressed his dissatisfaction with the jobbery which has been carried on in connection with the pier. The pier at this moment is nobody's child. The Board of Works assert that they have handed it over to the Grand Jury of the county, but that body will have nothing to do with the structure, and so the pier is going from bad to worse, and the shore is obstructed by large numbers of concrete blocks which are lying about. Is it right, is it honest, is it decent, that this state of things should continue to exist? I say that the pier affords a strong argument in favour of Home Rule, for it shows how badly things are mismanaged under the present system. The entrance to the harbour, too, is rendered very dangerous for vessels coming in, and I think it would therefore be as well if the pier were removed to another point. I would remind the right hon. Gentleman that we expect an answer with regard to that projecting structure. There are other points, but if we were to speak about all the matters which come in connection with this Vote, and to deal with them in detail instead of discussing them in a single sitting, we should be carrying on the Debate for a week. When the hon. Member for one of the Divisions of Mayo and myself

went over one of these structures built by the Board of Works we thought it almost impossible to land upon it when a high sea was running, and yet the poor people who have to use the pier have, to a large measure, to live from hand to mouth, and ought to have that faulty structure remedied. I ask the right hon. Gentleman to try and do something for these poor people. Can he not do something for the people of Antrim by the erection of some structure in Antrim Bay? There is no doubt that if adequate shelter were provided there a great deal of good would accrue to the population, who are year after year plunged in the most abject destitution. I hope the right hon. Gentleman will take a trip to the Western coast of Ireland, because although I do not desire to see his Government remain in office I think that even when in opposition he may do something to remedy the condition of affairs which exists there, and which, to a great extent, is owing to the action of Her Majesty's Government. I do not like to make an appeal to any of Her Majesty's Ministers, I prefer fighting them; but I think they ought to extend some sort of recognition to what is going on in the West of Ireland, and that we ought to have some sort of response from the Chief Secretary when these matters are brought to his cognisance. I hope he will not only be advised on these matters, but will look into them personally, because if he did that instead of taking all his light and leading from his colleagues or subordinates he would, I think, try and do better for Ireland and the Irish people.

(10.33.) MR. T. M. HEALY: I wish to call attention to what is being done in the Phœnix Park, Dublin, where, as we have heard to-night, £3,000 has had to be paid for the loss of a number of cows through pleuro-pneumonia. The right hon. Gentleman the Secretary to the Treasury will remember that I protested against the grazing going on in the Phœnix Park, and also against the railing off of a portion of the Park in order to provide the hay for the Lord Lieutenant's deer. Cows are not allowed in the London Parks, and I ask why should they not be excluded from the Phœnix Park? They have already this year occasioned a loss of £3,000, and I am sorry to hear that some of them belong to the Chief Secretary, in addition to those of the Lord Lieutenant; and while these animals were suffering from pleuro-pneumonia the Chief Secretary was answering in the most accurate manner in this House the questions put by Irish Members, forgetful of his property in Phœnix Park.

MR. A. J. BALFOUR: I deny that.

MR. T. M. HEALY: The right hon. Gentleman thinks he had no cows there, but we are informed that a number of valuable animals in the Park belonged to the right hon. Gentleman. I think it is undoubtedly a wise and proper thing on the part of the Board of Works to have taken away the Chief Secretary's and Viceroy's cows and dealt with them as they have done, because Dublin has undoubtedly been a centre for foot-and-mouth disease and pleuro-pneumonia in Ireland. If cows are unnecessary in the London Parks they cannot be necessary in the Phœnix Park, and therefore they ought to be entirely removed, especially when the recent enormous loss is considered. Why, Sir, £3,000 is more than the British Government ever made out of cows in Ireland since the Act of Union. The other matter on which I have to protest is the railing off of so many acres of the park to provide hay for the deer. By making this enclosure the Government are shutting out the people—a thing which they do not do in London. Everybody admits that it may be necessary to put a railing round the young trees for protection, railings which can be withdrawn as the trees increase in size, but to rail off four or five acres of public land in order to grow hay for the Lord Lieutenant's deer is an infringement on the public right. Why should not the ground be used by the public, by the gentlemen who play polo, by the Horse Artillery, the police, and the cricketers? But you have no right to rail in a portion of the park for the use of the Lord Lieutenant's deer. I

protest against these continuous invasions of the public right in the Phœnix Park, and assert that they ought not to be permitted any longer.

(10.38.) Mr. P. J. POWER: I should like to have some information from the right hon. Gentleman with regard to the pier at Tramore. The pier which which was constructed there, and for which a considerable sum was locally subscribed, was partially swept away. A second pier was erected on the same site by the Government, but it was so badly constructed that in a few years it also was swept away; and now we have a fishing and watering place which is without a pier. I hope the right hon. Gentleman will pay us a visit at Tramore, where we shall be able to show him that, although an amount of local money was subscribed for the pier, it has been, through bad engineering, swept away twice. We do not want a pier on the same site, but we think we have a right to ask that a pier should be erected. I think I shall have the advocacy of the hon. Member on my right, because I remember that I went out for a sail with him off Tramore, and I remember his using very strong language with respect to the way in which we had to land, owing to the default of the Board of Works. If the right hon. Gentleman has any information to give, we should be very glad to hear it.

*(10.41.) Mr. JACKSON: I will endeavour, so far as I can, to answer some of the questions put in the course of this discussion. The hon. and gallant Member for Galway has raised a question as to the Galway Harbour, which he says has not been put into a proper condition, and that the channel has not been cleared out by the Board of Works. I do not think that any blame attaches to the Board of Works with regard to that harbour. They undoubtedly approved the plans submitted to them, but their approval related simply to the proposed construction of the works and the question of security. The plans were prepared by the engineer of the Harbour Commissioners, and all the Board of Works did was to accept those plans as showing that the design was likely to be effectual, and upon that they granted a certain sum of money. But during the progress of the works, the Harbour Commissioners took it upon themselves to enlarge the harbour, and they did this without communication with the Board of Works, subsequently coming to the Board for a further sum of £3,000. As far as I can see, the work was substantially well done.

Colonel NOLAN: There is no passage.

*Mr. JACKSON: But that was not the fault of the Board of Works. The money advanced by the Board of Works was expended, and there was not sufficient left to pay for all that had to be done. I am under the impression the plan might be adopted by the Board of Works of sending the engineer nearest to the locality to look after these cottages. It is possible that engineers might have to be sent considerable distances, and even be sent on two or three occasions. It must be borne in mind that the responsibility rests with the Board of Works, and they cannot delegate it or shift it from their own shoulders. If they advanced money on these cottages, and the inspection turned out to be different from what they expected, they would be responsible. The hon. Member for Limerick referred to several piers, one of which was damaged by a recent storm, and the cost of the repair of which will be about £100. Reference has been made to Ballycotton. I have heard of Ballycotton many times. I have visited Ballycotton, and I have taken a great interest in it from time to time. It was at the request of hon. Members sitting below the Gangway, that I agreed to have a special inquiry made into the condition of Ballycotton Pier, and, as the Committee knows,

that inspection took place. Well, certain recommendations have been made. One was, that the clearing away of the remains of the old pier and the general deepening of the harbour would be of advantage in all probability. I must say, as regards that, no blame attaches to the Board of Works, because that work was not included in the original contract. After being on the spot, and after listening to the recommendations of the engineer who went with me, and after careful inspection of the whole work, I came to the conclusion that it was desirable to clear away the old pier, and sanction has been given to that work; while, at the same time, sanction has been given to clearing away some of the rocks so as to afford more shelter. The hon. Member for Mid Cork has given it as his opinion that the pier head is in course of destruction. Mr. Wolfe Barry made the recommendation that it should be surrounded with iron bands. I am bound to say that the Board of Works is presided over by a gentleman of very large experience in the protection of these works, and the engineer to the Board is a gentleman who has had exceptional experience in regard to marine engineering; and I am bound to pay some attention to their Reports and opinions. They are responsible, and they accept the responsibility. When this Report was made, they pressed upon me very strongly that the pier should be given a chance, and they were willing to stake their professional reputation that this pier would suffer no harm. It seemed to me only fair that an opportunity should be given to test their opinion. I have had from time to time some careful measurements taken and Reports made as to the condition of this pier, and I will tell the Committee the latest one that I have received. It must be borne in mind that the stone coping at the top of the pier is about 35 feet above the base, and, therefore, any settlement of the pier under the water must in that height make a very great difference in any crack which may have taken place on the surface. Now, there is one joint in the stone coping which is taken as the test one; and on the 1st February, 1889, this joint, No. 4, was open $3\frac{5}{8}$ inches; and on the 1st January, 1890, it was $3\frac{7}{8}$ inches, showing, therefore, that the only difference in a year was nearly a quarter of an inch. I am still assured by the engineers to the Board of Works that they are still willing to accept the full responsibility for the condition of the pier. And so convinced am I that I have had no hesitation in accepting their representations. If there were the slightest indication that it was necessary to apply the iron bands which have been recommended by Mr. Wolfe Barry, of course there would not be the smallest hesitation in applying them. I do not think the hon. Member for Cork need be under any apprehension whatever as to the solidity of the structure. An hon. Member spoke of Blackrock, but I do not carry in my mind the information which would enable me to answer him. I will make some inquiry as to whether any representations have been made or not. The hon. Member for North Dublin referred again to Howth Harbour. I believe the entrance to the harbour is now quite satisfactory, and boats can get in and out. It must be borne in mind that Howth is a very large harbour, and was originally built for the Mail Boat Service, though it has long ceased to be used for that purpose. I have visited it, and I know all about it; and I do not hesitate to say, so far as I can judge, there is ample accommodation for boats to go in and out with perfect safety. I must say frankly that I do not think the case of Howth Harbour calls for any large expenditure, because I think it is most admirably adapted to its purposes. I can call to mind a great many harbours in England which are used for boats, and which have not nearly so much water in them at low water as Howth. I do not think there is a strong case for clearing out Howth Harbour. Now, Sir, the hon. Member for Longford referred to the case of the cows in Phœnix Park. I am aware that on former occasions he has called attention to that matter. With regard to Phœnix Park, I may say that the Board of Works have acted throughout in consultation with the Veterinary Department. Whatever

evils have been caused have been due to the fact that the whole of the park was treated as one field. I think that during the prevalence of cattle disease it will be necessary to give up keeping cows in the park. At the same time, I think that a few deer add to the appearance of the park and to the enjoyment of those who frequent it; and in order that we may keep the deer, it is necessary to grow a little hay for their food during the winter. Attention has been drawn to Tramore Pier. With regard to that, I can only say that it is impossible for me to carry in my mind all the information which may be asked for. I have, however, made a note of what has fallen from the hon. Member for Waterford. The hon. Member for Cork referred to Arklow Harbour, and with regard to that I have to remind him that the Government have undertaken to complete the works there if the Local Authority will become responsible for a loan of £5,000. We thought at the time we made it, and we still think, that that was a reasonable proposal, and we had thought that means might have been found to induce the locality to accept the proposal. The estimated cost of the works is £10,000.

(11.4.) DR. TANNER: I spoke also of a pier on the west coast that is of no use at all, and urged that something should be done to meet the wants and wishes of the inhabitants of a very poor locality.

*(11.4.) MR. JACKSON: The hon. Member spoke of having seen the waves running 15 feet high. I should imagine he was there on a very stormy day. I have, however, made a note of his observations, and full consideration will be given to the subject. I trust now that hon. Members will allow the Vote to be taken.

(11.5.) COLONEL NOLAN: I should like to ask the right hon. Gentleman—and on this subject we ought, I think, to hear the opinion of the Conservative Members—whether he will consider the propriety of restoring to us the £8,000 a year we used to get for harbours?

*(11.5.) MR. JACKSON: That is rather a large order.

Mr. Jackson

(11.5.) COLONEL NOLAN: I do not want a pledge; but I ask the right hon. Gentleman to go carefully into the matter and make inquiries of the right hon. Baronet the President of the Board of Trade (Sir M. Hicks Beach), who was Chief Secretary for Ireland when this money was given.

(11.5.) THE CHAIRMAN: Order, order! The point the hon. Member is referring to comes under another Vote.

(11.6.) MR. TUITE (Westmeath, N.) I desire to draw attention to the terms on which the Board of Works advance loans to the national teachers. At present, re-payment must be completed within 38 years, and that imposes a very heavy burden on the teacher, because if he retires in 30 or 35 years' time, he has to pay the whole cost of the building. I would suggest that the time should be extended to 61 years, and that the rate of interest should be reduced from 5 per cent. to 4 per cent. Another matter is that out of 8,000 teachers in Ireland, there are only 703 by whom this Act has been taken advantage of. That looks bad for the administration of the Act. I trust the Secretary to the Treasury will make a note of this; and that if it is possible to amend or alter the practice he will do it, and so confer a great boon upon the Irish teachers and advance the cause of education. It is hard to expect a school teacher to teach properly if he has not a proper dwelling. With regard to the sureties for loans and the rules under the Board of Works Act, at present it is insisted on that one of the school managers shall be one of the sureties. There is nothing, however, in the Act of 1875 requiring that. The Act says that any three solvent persons are sufficient, and surely that ought to be sufficient for the Treasury in advancing loans. The present system is very hard on a manager who, perhaps, is already a surety for two or three schools, and has two or three other heavy charges on him in his parish. I have been requested to bring this matter under the notice of the House, and I think it is one worthy of the attention of the right hon. Gentleman.

(11.9.) DR. TANNER: Before we take a Division on the Vote, I should like to express my strong disapprobation of the conduct of the engineer, to whom reference has been made, who draws such a large salary. I believe he has wilfully misled the right hon. Gentleman as to the pier in question. The right hon. Gentleman, when on the spot, must have noticed the pier riddled about in all directions with long bolts. As I have said, the centre of the pier has become a nesting ground for lobsters. I want the right hon. Gentleman to explain that away, and I must say I think you should have better officers to go into these matters and should insist on having better work done. As to Kinsale, it is one of the largest fishing ports in the South-West of Ireland, but the people have had a bad fishing year, and have not been able to pay up as they would have been had the season been a better one. I desire to ask that some allowance should be made for the bad season in dealing with these people. And now, in the interests of my constituents, I desire to ask a question as to the projected tramway from Macroom to——

THE CHAIRMAN: That question does not come under this Vote.

DR. TANNER: It was the Public Works Report that misled me. As to the Assistant Surveyors of Buildings, I wish to ask whether the right hon. Gentleman is going to pay attention to the grievances of these men. They occupy the position of the class of senior clerks in the English Office. They have long hours and very onerous duties, and they require special qualifications for the duties; they require to know all about buildings, and to be thoroughly up in architect's work, and it is very difficult for them to fulfil all the conditions at a very low rate of remuneration. I trust the right hon. Gentleman will condescend to give me an answer on this subject. Then, as to the protection of ancient monuments. There is an Inspector on the Vote who is paid £50 a year. But he draws also £200 a year as an Inspector of National Monuments. Now, I must say that this gentleman—who is a very respectable person, and whom once I used to know—does not do his duty. I regret to have to say it; but having had during the course of last year to be at Athenry, one of the most interesting places in Ireland for anyone who takes an interest in antiquarian remains to visit, I noticed how necessary it was that efficient inspection should be made. Athenry is the old station of the Kings, as its name signifies. There is an old castle there, one of the most perfect of its kind, but it requires two or three supports here and there to keep it from crumbling away. There is an old abbey at Athenry containing the tombs of several illustrious persons. One is the tomb of a great King, and is in a wonderful state of preservation, considering the atmospheric disadvantages it has had to bear. As I say, I know the gentleman who is Inspector of Monuments, and I think that if a representation were made to him he would see that the necessary steps are taken to preserve these monuments.

(11.16.) MR. T. M. HEALY: I think it desirable that the Government should be allowed to get the Vote. I should like to ask what is the exact amount advanced by the Government which has cost them £9,000 to lend under the Land Improvement Act. It seems to me that it costs £1 to advance 10s.

*11.17.) MR. JACKSON: I can give the hon. Member no information on the matter. As to the Assistant Surveyors I have heard no complaint, but I will make inquiries. I have no knowledge of the circumstances referred to in relations to Kinsale Pier; and in connection with the ancient monuments referred to, I may point out that the subject does not come directly under the cognisance of the Board of Works.

Question put, and negatived.

Original Question put, and agreed to.

3. £3,935, to complete the sum for the Record Office, Ireland.

(11.19.) MR. T. M. HEALY: This includes, I think, an item for the Brehon Laws and Annals of Ulster, for which for the last 10 years there has been practically a standing Vote, though, so far as I can make out, we are no nearer the conclusion of this interesting work. Is it not curious that some of the most difficult translations in the Gaelic language should be in the hands of an Englishman who does not know a word about Irish?

THE CHAIRMAN: These matters do not arise under the present Vote. One of them comes under the Stationery Vote.

MR. T. M. HEALY: That is another Estimate?

THE CHAIRMAN: Yes.

(11.23.) DR. TANNER: In the case of this Vote, as of all others where you have a decrease, it is obtained by cutting down some of the smaller salaries. The Government would act more wisely if they cut down some of the large salaries. At the same time, there is a great deal too much money spent under this Vote. All the work of this office could be done by three or four clerks. This is a mediæval remain, and the sooner it is done away with the better.

*MR. JACKSON: I think the hon. Member is entirely wrong. There is a reduction of £2 this year, as compared with last.

Vote agreed to.

4. Motion made, and Question proposed,

"That a sum not exceeding £10,617, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1891, for the Salaries and Expenses in the Department of the Registrar General of Births, &c., and the Expenses of the Collection of Agricultural and other Statistics in Ireland."

(11.25.) COLONEL NOLAN: At the bottom of page 188 hon. Members will see that for the registration of all births and deaths in Ireland and the marriages of Roman Catholics £3,200 is taken, while for the marriages of Protestants there is £1,690 required. I do not begrudge the £1,690 for the registration of Protestant marriages, because I know the work is done well, but what I want to point out is the fact that the Catholic marriages in Ireland are very badly registered; indeed, a very considerable percentage of such marriages are not registered at all. The Irish statistics with regard to marriages are quite wrong. There is a large discrepancy between the English and Scotch and the Irish percentage of marriages in proportion to the births and deaths. The explanation of this is that many Irish marriages are not registered. The fee for registering a marriage is only 6d., and as a consequence the registration in the West and South of Ireland is somewhat carelessly performed. This is a very important matter, and I trust it will receive the attention of the Secretary to the Treasury.

(11.28.) MR. T. M. HEALY: We were promised last year and the year before that something would be done under this Vote towards sifting the prices alleged to be paid in Ireland for agricultural produce, but, as far as I can glean, the Government have not done a ha'porth to reduce the extraordinary sums they say the Irish people get for oats and potatoes, beans, barley, and so on. When the Irish peasants are receiving 3d. or 4d. a stone for their potatoes, the price is given in the Registrar General's Return at 6d. or 7d. Last year the Chief Secretary promised that he would look into the question of price, and we pointed out that it was not the price obtained in the Dublin Market that was to be taken into account, because one of the misfortunes of the Irish peasant's positions is that the moment he cuts his oats or wheat and thrashes it on the field, he has to sell it right off. The man has no barn, and he

is not able to wait until he can take it to market. It is a very serious matter if it is represented to the Land Commissioners and other bodies that the price of wheat is 5s. more a barrel than it really is. The Land Commissioners have, to a large extent, been depending upon the Statistical Returns published by this Department. I am far from saying the Department is acting in any way in aid of the landlord party in the country. My belief is that these gentlemen are inclined to act fairly, but what I do submit is they do not give the peasant's market price in compiling these statistics, but simply the average price obtained in the large cities. I trust we shall hear from the Government what steps they have taken since last year to correct the very inflamed views held by the Department on this point. If anyone will turn to *Thom's Directory* for 1890, he will find the value of crops given as follows:—Leinster, £1,700,000; Munster, £1,300,000; Ulster, £3,100,000; Connaught, £873,000. Upon this estimate the Irish Secretary founds the argument that Ireland is extremely prosperous. We do not propose to delay this Vote; but we trust the right hon. Gentleman will avail himself of the opportunity of informing us what has been done in this matter.

(11.35.) MR. A. J. BALFOUR: The right hon. and learned Gentleman accurately recollects that I made some statement in this House on a previous occasion with regard to the statistics; but the statement was not made in relation to this Vote; it was really in connection with the Act of 1887. The Land Department very rightly came to the conclusion that they could not modify rents merely upon the general statistics obtained by the Registrar General, and they devised machinery to collect agricultural prices in order to enable them to carry out the provisions of that Act, which machinery has been since brought to the point of perfection. The Land Commissioners have kept in mind the undoubted value of the remarks of the hon. and learned Gentleman on a former occasion, and they have endeavoured to find out not merely what are the prices obtained in Dublin, Cork, Belfast, and other large towns, but what are the prices realised in the market towns of Ireland. I am not now in possession of the full details, as the question does not arise on this Vote; but, if the question is raised on the Land Commission Vote, I shall be most happy to give any information I can.

(11.40.) MR. T. M. HEALY: I protest against statements being made at Primrose League meetings and at other meetings that the price of hay in Ireland is 45s. a ton, when, as a matter of fact, the peasants cannot get more than 20s. a ton. I suppose that in London you pay 30s. or 40s. a ton for coal, but you can buy coal at the pit's mouth for 4s. 6d. a ton. I have known the price 1s. 10d. a ton. When you are paying a high price for coal in London you are inclined to suppose that the Northumberland miners are drinking champagne and living in affluence. It is exactly the same in Ireland when agricultural prices are taken from central markets. By the time the produce has reached the central market it has passed through the hands of a number of middlemen, all of whom have to make a profit.

(11.41.) DR. TANNER: It ought to be borne in mind that most of the statistics to which my hon. and learned Friend has just alluded come from very unreliable sources. Most of the statistics come from the Royal Irish Constabulary—notably the District Inspectors—and I want to know whether there is any portion of this money paid to these policemen?

(11.43.) MR. A. O'CONNOR: I observe that there is a note against the entry relating to these clerks to the effect that they are to be replaced by Lower Division clerks. It would appear as if this office is in a strange state of transition. It might be a matter of some interest to know in what direction the Government propose to move in the matter of re-organisation. Their action may probably throw light on the mode in which they intend to deal with other Departments in the country. I would point out that the Secretary of

this Commission is in a very exceptional position, because once in every 10 years he is concerned with Census work. Instead of being paid for the work actually done every 10 years he receives every year an annual sum of £100 or £200. I submit that nothing can be more ridiculous than to pay years in advance for services which are rendered only one year in 10. I wish to know whether it is a fact that this gentleman's salary is again to be raised in consideration of the Census work he takes in hand this year. If any increase of salary be allowed to him on this account it will be a distinct departure from an engagement entered into, I think, by the present Financial Secretary to the Treasury. Another point respecting the Registrar General is, I think, worthy of attention. Last year a Bill was passed inflicting all kinds of pains and penalties on officers in the public service who divulged official secrets. The Act was presumably intended for general and impartial application. Well, Sir, the Registrar General, for whose pay provision is made in this Vote, was proved in a rather notorious case a fortnight or three weeks ago to have volunteered information of a confidential character in regard to what took place in his own office. Dr. Grimshaw, it was deposed at the trial I speak of, volunteered the information that the Constabulary were making inquiries in the office with regard to the supposed wife of a medical man. I should like to know how it is an officer in that position can volunteer information of a private character, with perfect impunity, in view of the very stringent provisions of the Act to which I refer. This certainly is a matter which deserves consideration if at any time an application is made for an increase of this gentleman's salary.

(11.48.) MR. JACKSON: It was clearly understood that when the salary of the gentleman who looks after the Census was increased it was to cover the work of superintending the Census. Of course, the work connected with the Census is only for one year. It is the case, as the hon. Member has said, that one second class clerk, two third class clerks, and two transcribers are to be replaced by Lower Division clerks. As to the point the hon. Member has raised about the divulging of official secrets, I have no knowledge of the circumstances.

(11.49.) MR. A. O'CONNOR: Has any application been made for an increase in the salary of the Registrar General or the Secretary?

MR. JACKSON: No, Sir; I think not.

COLONEL NOLAN: Will the right hon. Gentleman explain the great discrepancy in the fee paid for Catholic marriages and that paid for Protestant marriages, and will he say something about the accuracy of the Returns of the Catholic marriages in Ireland?

(11.50.) DR. TANNER: I want to know how much of this Vote goes into the pockets of the members of the Royal Irish Constabulary? If I do not get an answer I regret to say I shall have to put the Committee to the trouble of a Division.

(11.51.) MR. A. J. BALFOUR: I am afraid I cannot give any expression of opinion worth having as to the value of the statistics relating to Catholic marriages. I have no ground for supposing that they are of a less trustworthy character than the statistics in general. As to the question of the hon. Member for Mid Cork (Dr. Tanner), the police who act as enumerators get a small sum for stationery and postage, and when they have to sleep away from barracks they get 2s. or 3s. for their expenses. Of course, travelling expenses are also paid out of the Vote.

*(11.52.) MR. CHILDERS (Edinburgh, S.): Will the right hon. Gentleman allow me to inform him that the statistics of Roman Catholic marriages in Ireland are recognised universally as far less accurate than the statistics of Protestant marriages? Whatever the cause may be he will find this stated in every book of comparative vital statistics, and I hope he will look into the question and correct what is really a scandal.

(11.53.) COLONEL NOLAN: I wish to point out that the reason is that the fee paid is very small. It is no fault of the Catholic clergy, but I have every possible reason to suppose that the statistics are grossly inaccurate.

(11.54.) MR. T. M. HEALY: Perhaps, Sir, it is due to the fact that the Irish Members do not sufficiently preach against early marriages. Of course these foreign people do not understand the matter, or they would probably concur with the right hon. Gentleman the Chief Secretary in thinking that the great fault of the Irish people is that they marry too young. I contend that the statistics demonstrate that there are fewer marriages among the Irish people, and that they marry at a riper age than any other people under the sun. Perhaps if the unfortunate priests got another halfpenny or penny for returning the marriages the result might be the valuable one of clearing away the obscuration of the mind of the poor Irish Secretary.

(11.55.) DR. TANNER: I must take exception to any of this money being put at the disposal of members of the Royal Irish Constabulary, and I shall take every opportunity of pointing out to this House the way in which these men are overpaid. On Vote after Vote you find that these men are bribed to do their nauseous work in Ireland. It is a great and hideous mistake to employ the police to do this work. I beg to move the reduction of the Vote by the sum of £1,260.

Motion made, and Question, "That a sum, not exceeding £9,357, be granted for the said Service,"—(*Dr. Tanner,*)—put, and negatived.

Original Question put, and agreed to.

5. £11,507, to complete the sum for the Valuation and Boundary Survey, Ireland.

(11.58.) MR. A. O'CONNOR: How is it that in this office the first class and other clerks are not treated in the same way as in the Registrar General's Office?

MR. JACKSON: I am afraid I cannot answer that question straight off.

Vote agreed to.

Resolutions to be reported to-morrow.

Committee to sit again to-morrow.

COLONIAL COURTS OF ADMIRALTY BILL [LORDS].—(No. 260.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

(12.3.) DR. TANNER (Cork Co., Mid): This Order has been on the Paper on many occasions, and now, seeing that Her Majesty's Government do not think it necessary to give us any information as to the Bill, and perhaps the time is inconvenient for doing so, I must object to the Bill being proceeded with.

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): The Bill is simply to remove certain difficulties of administration that have occurred in the colonies, and to simplify procedure.

DR. TANNER: I object.

SIR W. HARCOURT (Derby): At this period of the Session an objection raised at this stage may be fatal. It seems to me the Bill is a very useful one, and I hope the hon. Member will allow his objections to remain for discusssion in Committee.

DR. TANNER: As a general rule I am desirous of meeting the wishes of right hon. Gentlemen on the Front Opposition Bench, but there is really nothing to prevent this Bill, if it is a useful and non-contentious measure, being set down as a first Order to-morrow or on Thursday. I certainly object to its being taken after midnight.

Objection being taken to Further Proceeding, the Debate stood adjourned.

Debate to be resumed to-morrow.

PUBLIC TRUSTEE BILL (LORDS.)

(No. 230.) SECOND READING.

Order for Second Reading read.

SIR HORACE DAVEY (Stockton): May I ask if there is any intention to go on with this Bill?

SIR R. WEBSTER: I had hoped to do so. I think the hon. and learned

Gentleman will agree with me that it is a useful measure, and I do not gather that any great objection is raised. It is a matter for the consideration of the House whether the Second Reading should be taken now.

SIR HORACE DAVEY: I do not object, and I should be glad to have the Bill read a second time, but I think an undertaking was given to my right hon. Friend the Member for Wolverhampton that there should be an opportunity for a Second Reading Debate.

Second Reading deferred till this day.

WAYS AND MEANS.

Resolution [11th July], reported.

"That towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March, 1891, the sum of £11,850,436, be granted out of the Consolidated Fund of the United Kingdom."

Resolution agreed to:—Bill ordered to be brought in by Mr. Courtney, Mr. Chancellor of the Exchequer, and Mr. Jackson.

PURCHASE OF LAND AND CONGESTED DISTRICTS (IRELAND) BILL.—(No. 199.)

Order for Committee read.

Motion made, and Question proposed, "That the Order be discharged and the Bill withdrawn."—(*Mr. Secretary Jackson.*)

MR. SEXTON (Belfast, W.): On this Motion I beg to ask what provision the Government intend to make in respect of the financial matters with which the Bill deals? Is it intended to make the sum to which Ireland is entitled available for Irish purposes, and, if so, will the purpose be carried out by a clause in the Appropriation Bill, or in some other legislative proposal during the present Session?

MR. A. O'CONNOR: May I also ask what is the intention of the Government with regard to the £1,500,000 of Church surplus money now liberated, and whether in this or in next Session, the Government have considered the possibility or desirability of making some provision towards educational objects in Ireland, especially University education?

MR. T. M. HEALY: It would be well for the Chief Secretary, who has a taste for writing epitaphs, to be present at the solemn obsequies of this measure, and I am sure we would give him a suitable reception on the touching occasion. My hon. Friend has raised a question of the greatest interest, as, indeed, he intimated his intention of doing, and I think it is only right an answer should be given before this Bill is allowed to depart into the limbo of abandoned measures. A sum of £45,000 is liberated, and we are entitled to know what is to become of the money. To use the classic phrase of the First Lord, this money was "earmarked," and we should like to know what is to become of this money after being subjected to this operation. At the same time we should like some statement whether the Government intend to re-introduce the Bill in the same form as now. I think if the Bill is to be re-proposed, the Government will be ill-advised unless they take into account the objections of the Irish Members to the Irish Church surplus being collared in this way. If the Government intend, for Imperial purposes, to pass this Bill in another Session, they should provide Imperial funds for the purpose of buying out Irish landlords, not use Irish local resources for that object.

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I did not hear the commencement of the hon. and learned Member's observations, but in regard to what I did hear, I may say I have undertaken that in any case £40,000 shall go to Ireland in the course of the present financial year. The hon. Member has my pledge to that effect, and he may rely upon it being carried out. I do not undertake that the money shall be secured to Ireland in the course of the present Session, but in the course of the present financial year.

Question put, and agreed to.

Order discharged.

Bill withdrawn.

TITHE RENT-CHARGE RECOVERY AND REDEMPTION BILL.—(No. 169.)

Order for Committee read, and discharged.

Bill withdrawn.

SAVINGS BANKS BILL.—(No. 240.)

SECOND READING.

Order for Second Reading read.

MR. T. M. HEALY: I hope the Government will disabuse their mind of the idea that this is a non-contentious Bill. The Irish Members have very strong objections to it.

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I can assure the hon. Member that, so far as England and Scotland are concerned, the Bill is a non-contentious Bill. I have been able to remove the objections of English and Scotch Members, and I shall be very glad to confer with hon. Members from Ireland with a view to removing some of the objections they hold.

SIR W. HARCOURT: I only wish to express a hope that the Government will find themselves able to go on with the Bill, and pass it.

MR. SEXTON: I think the Chancellor of the Exchequer has spoken very reasonably, and I am not without hope that the objections of the Irish Members may be removed by reasonable Amendments.

*MR. J. E. ELLIS: Will the right hon. Gentleman give the names of the Committee before taking the Second Reading?

*MR. GOSCHEN: I asked the deputation of Trustees I received the other day to provide me with three names to put into the Bill as respecting private banks, but I have not yet received any communication from them.

Second Reading deferred till Monday next.

LOCAL TAXATION (CUSTOMS AND EXCISE) DUTIES BILL.—(No. 244.)

COMMITTEE

Order for Committee read.

SIR W. HARCOURT: I hope the House may understand that when this Bill is put down for Thursday they will have it in a form which will indicate the mind of the Government upon it. I think the Bill ought not to be postponed any longer, because the new proposals of the Government will require a little time for consideration.

*MR. GOSCHEN: I should be sorry to pledge myself to Thursday. The Government have considered the matter very carefully, and are anxious to avoid any fresh controversy. I hope to be able on Thursday, or, if not then, on Monday, to inform the House of the general nature of the proposals of the Government.

Committee deferred till Thursday.

LOCAL REGISTRATION OF TITLE (IRELAND) BILL.—(No. 334.)

SECOND READING.

Order for Second Reading read.

DR. TANNER: I object.

MR. T. M. HEALY: This is a most useful Bill, introduced in the interest of the new tenant proprietors under the Ashbourne Act. It is a proposal entirely in the interest of small owners, and, much as I differ from the Attorney General for Ireland, I am forced to express my acknowledgement to him for this useful measure. Without pledging myself to details I think my hon. Friend would do well to allow the Second Reading to pass.

MR. M. HEALY (Cork): I concur in all that has been said by my hon. relative. It is an excellent Bill, and badly wanted by the small tenant owners.

MR. A. O'CONNOR: The fundamental principle of the Bill is unquestionably right, but it is different to anything which at present obtains in this country. It would be very useful to watch the operation of it, but at the same time there would be considerable inconvenience in having two systems working side by side. As applied to the whole of Ireland, there might be much to be said for the Bill, but, valuable as it may

be, I do not think we are called upon to take the Second Reading without discussion ofter 12 o'clock.

Second Reading deferred till to-morrow.

FINANCIAL RELATIONS (ENGLAND, SCOTLAND, AND IRELAND.)

Order for Motion for Select Committee read.

*Mr. GOSCHEN: I believe it is generally desired that progress should be made by the Committee, and if anything is to be done this Session, the Committee should be appointed without delay. I do not know that we shall be better able to proceed with the Motion another evening.

Mr. SEXTON: We desire the appointment of the Committee, but we desire also, to make some representations on the terms of reference. What the Welsh Members intend, I do not know, but for the discussion, not a long one, of points we desire to raise, I would ask that the Motion should be taken at an earlier hour.

*Mr. GOSCHEN: The hon. Member must not understand me as making any engagement. I have no doubt objections might be met, and I may remind the hon. Member that discussion might be taken after 12 o'clock.

Mr. SEXTON: The objection to that is, that discussion may be terminated at any moment by any Member raising objection.

Mr. S. EVANS (Glamorgan, Mid): May I ask the right hon. Gentleman if he will accept the Amendment standing in my name?

Motion deferred to Thursday.

MERCHANT SHIPPING LIFE SAVING APPLIANCES RULES.

Mr. C. WILSON (Hull, W.): The President of the Board of Trade is not in his place, but perhaps some other Member of the Government will inform us when we shall have an opportunity of discussing the Rules for Life Saving Appliances at Sea. There are one or two Amendments on the Paper, which I think the right hon. Gentleman has agreed to accept.

*Mr. JACKSON: The Motion is not moved.

Mr. C. WILSON: The President of the Board of Trade is now in his place, and I would ask him to say if he is prepared to accept any of the Amendments to the Rules on the Paper?

*The PRESIDENT of the BOARD of TRADE (Sir M. Hicks Beach, Bristol, W.): I doubt if this is in order, but I may simply say I am not prepared to accept the Amendment.

Mr. C. WILSON: Not the last one on the Paper?

BIRSTALL WESLEYAN CHAPEL TRUST SCHEME CONFIRMATION BILL.
(No. 362.)

Bill read a second time, and committed for Wednesday.

BUSINESS OF THE HOUSE.

On Motion for Adjournment.

(12.30.) Mr. SEXTON: I wish to ask if the Government propose to take Wednesday next for Government business, and also whether it is a fact, as reported in the Press, that Lord Wolseley has been appointed Commander-in-Chief of the Forces in Ireland, in succession to Prince Edward of Saxe-Weimar?

*The PRESIDENT of the BOARD of TRADE (Sir M. Hicks Beach, Bristol, W.): I have not information on either point.

Mr. SEXTON: I beg to give notice that if such appointment is made I will call the attention of the House to it before the end of the Session.

Dr. TANNER: I wish to ask whether the Government intend to make, or have made, any attempt to arrest the absconding Constable Palmer, as it now transpires that the steamer in which he travelled to New York has just arrived at that port?

House adjourned at half after Twelve o'clock.

HOUSE OF LORDS,

Tuesday, 15th July, 1890.

REPRESENTATIVE PEER FOR IRELAND.

Writs and Returns electing the Earl of Mayo a Representative Peer for Ireland in the room of the late Earl of Milltown, deceased, with the Certificate of the Clerk of the Crown in Ireland annexed thereto: Delivered (on oath), and Certificate read.

STATUTE LAW REVISION BILL.

(No. 33.)

Returned from the Commons agreed to, with amendments.

BANKRUPTCY BILL.—(No. 188.)

Order for the Second Reading on Friday next, discharged.

SHERIFFS (ASSIZES EXPENSES) BILL.

(No. 135.)

Reported from the Standing Committee for General Bills, with amendments: The Report thereof received: Bill re-committed to a Committee of the Whole House; and to be printed as amended. (No. 202.)

INTESTATES ESTATES BILL.—(No. 148.)

Reported from the Standing Committee for Bills relating to Law, &c., with an amendment: The Report thereof received; Bill re-committed to a Committee of the Whole House on Thursday next.

REPORT OF THE EDUCATION COMMITTEE.

QUESTION—OBSERVATIONS.

EARL BEAUCHAMP: I wish to ask the noble Lord the President of the Council a question, of which I have given him private notice, with regard to the time when we may expect that the Report of the Education Committee will be presented to Parliament. It is usually presented before the discussion takes place in the House of Commons upon the Estimates. If the noble Lord can tell us when we may expect to have the Report it would be very useful.

THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK): As my noble Friend is aware, the Report consists of Divisional Reports and the Reports on the Colleges. I may inform him that the Report proper went to press on July 3rd, and the Divisional Reports are also in preparation. I believe the whole document will be very shortly in your Lordships' hands.

ELECTRIC LIGHTING PROVISIONAL ORDER BILLS.

THE SECRETARY TO THE BOARD OF TRADE (Lord BALFOUR of BURLEIGH): My Lords, I can state in a very few words the circumstances which have made it necessary to ask your Lordships to suspend the Standing Order which prevents the Electric Lighting Confirmation Bills being read a second time in this House, unless they are brought to it before a certain date from the other House of Parliament. A large number of applications for Provisional Orders were received by the Board of Trade in December last—no less than 161—from Local Authorities, relating to places outside the Metropolis, and therefore the model Order which was adjusted last year was not applicable to them. Two new model Orders had consequently to be adjusted this year. The objections made to the model Orders were very numerous, nearly 1,000 in number. Their nature was very complex, necessitating frequent communications with the Local Government Board and other Public Departments, but early in May the model forms of Order were circulated. Subsequently, the different Orders upon them had to be adjusted with the promoters of the undertakings, and the Local Authorities and those who might have objections to them. It was not possible, therefore, to introduce the Bill for confirming those Orders before the 23rd May, and then, the Orders being of an unusually voluminous character—they were not less than 54 in number—the printing was necessarily of a very elaborate description. The delay in proceeding in the other House of Parliament was very largely owing to the difficulty in getting the materials from the printers, and therefore, so far as

that is concerned, no blame attaches to the Board of Trade. Under all the circumstances, and having regard to the important nature of the duties devolving on the Board of Trade in connection with electric lighting, and the very onerous nature of the inquiries with regard to electric lighting which, during the last 12 months, the Board of Trade have had to carry out, I have now to ask your Lordships to suspend the Standing Order for a fortnight. My Lords, I think I am in a position to say that no further relaxation of this Standing Order will be required during the present Session, if your Lordships should see fit to grant this suspension. I have spoken privately upon the subject to the noble Lord the Chairman of Committees, and I believe he will tell your Lordships that he sees no objection. Under those circumstances, I beg to propose the Motion which stands in my name.

Moved, "That the Sessional Order of the 10th of March last, 'That no Bill brought from the House of Commons confirming any Provisional Order or Provisional Certificate shall be read a second time after Friday the 27th day of June next,' be dispensed with in respect of Bills to confirm Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, and brought from the House of Commons on or before the 28th instant."—(*The Lord Balfour.*)

THE EARL OF MORLEY: My Lords, the notice which has been given by my noble Friend opposite is of a somewhat novel nature, and rather more comprehensive than usual; but he has explained to your Lordships fully the reasons which render the suspension specially necessary in this instance, and in the circumstances I should not think of opposing it. There is no doubt that electric lighting being a novel subject, a great many details of a preliminary nature had to be dealt with. A great number of Bills had to be prepared by the Board of Trade this year, and I believe the officials of the Department have done their best to introduce them in time, but for the reasons given by my noble Friend they have been delayed. I think, therefore, your Lordships will do well to suspend the Sessional Order in this case.

On Question, agreed to.

Lord Balfour of Burleigh

DIRECTORS' LIABILITY BILL.

(No. 165.)

SECOND READING.

Order of the Day for the Second Reading, read.

LORD HERSCHELL: My Lords, I think it would be expedient that I should state at the outset as distinctly as I can what is the scope and object of this Bill, because I think there has been a good deal of misconception in relation to its object and effect, which it is desirable as far as possible to remove, inasmuch as those misconceptions have led to some exaggeration on the part both of those who have advocated and of those who have opposed the measure. I have seen comments made upon the Bill, and speeches made in its support, which seemed to indicate the idea that the Bill was intended to meet the case of persons promoting or becoming the Directors of companies and issuing fraudulent prospectuses or prospectuses containing false statements, careless whether those statements were true or false, making no inquiry, and contenting themselves with giving their sanction to anything which was put before them. Now, I think it is well that it should be known as distinctly as possible that, as far as fraudulent acts of this description are concerned, the existing law is strong enough to deal with them. There ought to be no mistake entertained about that. Then it has been supposed by some that, owing to a recent decision of your Lordships' House, there has been some weakening of the law in that respect. This is an entire mistake. If there be any fraud in any form or shape whatsoever, the person who is guilty of that fraud can now be made responsible. All that has been determined is that where a statement has been made which turns out to be untrue, if that statement has been made by a person who honestly believed it to be true, he is, as the law now stands, under no liability. This Bill, therefore, is not designed to deal, and will not deal, any more effectually than the law does at present with cases of fraud. Its purpose is to deal with those persons who, although honest, may nevertheless have made untrue statements, for which the law, for reasons to which I will allude in a moment, will hold them to be responsible. In con-

sidering the measure, and whatever form and shape the Bill may ultimately take, I think it is expedient that it should be kept clearly in view that the object and scope of the Bill is to deal not with fraud, but with acts for which, nevertheless, it is reasonable that those who have committed them should be responsible. There can be no doubt that there has been too often a tendency, in the issue of prospectuses of companies, to put before the public statements which are not founded in fact, and which are put forward without any sufficient care or anxiety being displayed to see that those statements are true, the result being that on the faith of statements made on the authority of persons of no character or respectability people have frequently, or sometimes at all events, been led to invest their money and embark in undertakings which they would have been unwilling to do if the truth had been before them. Now, I will state at once what I understand to be the principle of this Bill. The principle to which I give my assent, and to which I ask your Lordships to give your assent, in giving it a Second Reading, is that if a person putting forward untrue statements with the view of inducing others to invest their money or embark in any undertaking, has made those untrue statements without reasonable grounds for believing them to be true, that person ought to be held responsible to those who have suffered in consequence of believing those untrue statements to be true. Now that, plainly and simply, is the object and purpose of this Bill. I regard all the rest of it as merely detail and machinery, open fully to consideration—I shall have something to say about that in a moment or two—but that principle, I would submit to your Lordships, is a perfectly sound one; that those who put before the public statements which are intended to be acted upon, intended to induce people to part with their money and invest it in a particular undertaking, may at least be called upon, not of course to vouch the truth of all the statements for which they make themselves responsible by issuing them, but at least not to make themselves responsible for untrue statements which they have not reasonable grounds for believing to be true. The truth is, the effect of the measure will be to make persons dealing in the class of business affected by the Bill responsible for the want of reasonable care, so that if they publish a statement of that description without having taken any means to ascertain, or without having any reasonable ground to be satisfied of, the truth of the statement, they should be liable to those who were misled by its falsity. That does not seem to me to be in any respect an extravagant principle, and I am happy to find that some who have been loudest in their opposition to the measure as it now stands have unequivocally given assent to that principle. I have to-day received a report from a very important Chamber of Commerce, the Liverpool Chamber of Commerce, on the subject of the Bill, which begins by giving their full support to the principle of the Bill to the extent to which I have enunciated that principle; and I do not know that I have seen any distinct attack made upon the proposal to create a liability to that extent. It seems to me it is only to that principle that your Lordships would give your assent by accepting the proposal to read this Bill a second time. When one comes to the details of the Bill, I admit there are certain matters in it which are open to criticism, and as far as I am personally concerned, I may say that when I was asked by those who promoted the Bill in the other House to move the Second Reading of it here, I felt bound to state that I could only do so if it were understood that as to the details and machinery of the Bill I was left perfectly free and unfettered to suggest or accept any alterations which, consistently with that main principle, would, in my judgment, make the measure a safer and better one. I think it right to make that statement distinctly to your Lordships on the present occasion. But there has been, I think, some exaggeration as to the effect likely to be produced by this measure. Great exception has been taken to what has been called "throwing the burden of proof on the person who makes the statement," because the Bill as it at present stands renders the person making the untrue statement liable unless he can prove that he had reasonable ground for believing it to be true. I think, in truth, that objection is more imaginary than real. I do not think it would make any

practical difference in the working out of the measure whether the provision should take that form, and the onus be so placed, or whether the Bill should read that the person should be liable unless he had reasonable ground for believing that the statements were true, or unless it were so shown. I do not think an alteration of that kind would make any substantial change in the effect of the Bill. At the same time, I know that the particular expressions used have created some alarm. For example, the case was put to me that you might have a Director who had been party to issuing a prospectus, but who, at the time the question arose, was in such a state of ill-health that it was impossible for him to give evidence, or he might even have died and his representatives might be sued; and in such a case it would be impossible to prove what reasonable ground there was in that instance for believing the statement to be true. In my view, I do not think in the mode in which the Act would be administered, and the way in which cases would be tried when brought into Court, it would make much difference which way the onus lay, and I do not regard that as a point of very supreme importance. Then exception has also been taken to the use of the word "misleading" in that part of the Bill which makes a Director or other persons responsible "for any statement which was untrue or misleading." I cannot help thinking that the insertion of that word "misleading" has been due to a failure completely to appreciate the law which has been laid down with respect to untrue statements appearing in documents such as those referred to in the Bill. Perhaps it was supposed that there might be such a partial statement of the truth as to mislead. But it has been clearly laid down by the House of Lords, in a recent case, that not only is the person issuing a document of this description liable if the statements are contrary to the truth, but also if the statements are so partial that the suppressions rendered what was stated untrue. The law in that case equally regards what is stated as untrue, and by a recent decision in your Lordships' House the law in that respect may be considered as well settled. That covers, therefore, every case, either of actual mis-statement or of suppression of facts which makes the statement untrue. Therefore, if the word "misleading" is to be added to the word "untrue," I do not myself quite appreciate the cases to which it is intended to apply. It must be intended to apply to all cases where the statements are true; otherwise, the law in regard to statements which are untrue would cover such cases; and when you include statements which, though absolutely true, might mislead, it is difficult to see how far the adoption of such legislation might lead. Therefore, I admit at once that I feel the force of the objection to the word "misleading." Whether there should be anything added to the word "untrue," or whether that would be enough by itself would be a matter for consideration. There is another point upon which strong exception has been taken, and that is that the Bill renders liable not only the Directors, but every person who has authorised or who is responsible for the issue of the prospectus. I have some doubt whether those words would not cover some persons who ought not to be included, and whether, on the other hand, they would not fail to cover some persons whom we should all undoubtedly desire to see included. The persons whom it is desirable, and whom one would like to see, hit are the promoters who are at the back of the Directors, and whose statements really float the concerns—whose statements are put before the Directors, and who are the persons who really create and launch the company, place it before the public, and seek to benefit by it. I do not feel quite sure that those persons would come within the term "those who have authorised the issue of the prospectus," because it may be doubtful whether those who are, as it were, a further stage back, acting before the prospectus is issued, and then retiring from the scene, the Directors having taken their places, can be held to have authorised the issue of the prospectus, because, ordinarily, you speak of "authorising" something which is done on your behalf. I throw out that doubt, because it seems to me it would be expedient in one direction to strengthen this provision, namely, so that you shall hit the promoters whom you desire to hit. On the other hand, fears have been expressed

that the words might include those whose names are merely on the prospectus in an executive capacity, such as the bankers who receive subscriptions, and the solicitors who are to be the legal advisers of the company, and who certainly could not be expected or understood to vouch every statement put forward by the Directors of a proposed company when they issue a prospectus to the public. The words "responsible for" are, I admit, very wide, and to my mind they are objectionable words. I frankly say that for this reason, that responsibility is a question of law. When you say that persons are responsible that is a legal question, and it is for the law to determine who is responsible for a particular act. I think it is very difficult, therefore, to imagine what construction ought to be put upon such language as this when it comes for judicial determination before any of our tribunals. I have ventured to trouble your Lordships with these criticisms for this reason, that I cannot help thinking that those who are engaged in passing legislation of this description are, perhaps, a little less likely to perceive the difficulties that would arise in carrying it out than those who are constantly engaged, and who, like myself, have been engaged for some years in interpreting legislation and in administering the law, because the tendency to be critical grows upon one, and in considering provisions of this description, when one comes upon language used that is not in common use, one asks one's-self "What interpretation should I put upon it if it came before me for judicial decision?" Very often, looking at proposed legislation from that point of view, difficulties are seen which do not readily occur to the minds of those who are simply engaged in the task of endeavouring to remedy an evil, and, therefore, are not so much concerned in its critical examination as I venture to think they ought to be. My Lords, I have referred to these two or three details because they are matters to which special attention has been drawn by those who have objected to this new legislation. There are some other details in the Bill about which a good deal has been said, and probably will be said again, but with which I do not think it would be right to trouble your Lordships in moving its Second Reading. I have pointed out what I conceive to be, and what I think manifestly is, the whole scope and object of the Bill. I cannot myself doubt that that object might be attained, and might be very usefully attained, by casting liability where that liability ought to rest, without in any way endangering those who act reasonably and properly in regard to affairs of this description.

Moved, "That the Bill be now read 2ª."—(*The Lord Herschell.*)

*THE LORD CHANCELLOR: My Lords, I think my noble and learned Friend has made a case for asking your Lordships to read this Bill a second time. I confess that if I thought this Bill was to remain in its present form, I should not have the slightest hesitation in asking your Lordships to read it a second time this day six months—perhaps I ought to make an exception to that under present circumstances, and say at an earlier period. In the objects of the Bill, as stated by the noble and learned Lord, I heartily concur, and if those objects can be attained by altering almost every sentence in the Bill, I certainly shall be desirous of giving all the assistance I can in remedying the defects which have been pointed out; but if the Amendment of it should be found ineffectual to produce something like a reasonable measure, I shall reserve to myself the right to take a different attitude towards the Bill at a later stage on the Third Reading. The Bill is supposed to have been rendered necessary by the decision of this House, to which my noble and learned Friend referred, in the case of "Peek *v.* Derry." That decision was arrived at unanimously by the House as to what the state of the law is and has always been upon the subject matter with which this Bill deals. It certainly would require very considerable consideration of that subject before one would very lightly attempt to alter the principles of the law upon which that case was decided—certainly more consideration than appears to have been given to it by those who have produced this specimen of intended legislation. The decision in the case to which I refer would have been exactly the same if the Bill had been law at the time this decision was given, which shows

the value and importance of the effort to set right that decision, or which it is supposed will be a setting right of that decision. But the great objection to the Bill is, as my noble and learned Friend very candidly stated, that it is so conceived that whatever the object of the measure is, it is impossible to trace that object through its language. Take as an example the very expression to which he has referred, that is, the use of the words "untrue or misleading." I think your Lordships will be prepared to accept my noble and learned Friend's statement as a matter of simple logic; if it is untrue, it is untrue, and the untruth of a statement may be arrived at by showing its actual falsity, or by showing that it states the truth so partially that that which is stated is for that reason untrue. Therefore, you do not in that case require the word "misleading." But if you do require it for proper exposition of the object of the Bill it must mean that something is to be made the subject matter of an action which is true, but which a jury or Judge shall suppose, or some ruined speculator shall suppose, is of a misleading character and misled him. What is to be the criterion of what is "misleading," and what is to be the canon of intelligence which is to be applied as a test to the intellectual calibre of the person misled? It is almost impossible not to see that this Bill is a patchwork attempt by various individuals to add something to meet the supposed necessity of making directors responsible for what in popular language and in good common sense are called reckless or untrue statements. Directors are liable now for untrue and reckless statements, and there is nothing in the judgment referred to which in the smallest degree casts any doubt upon the liability of Directors for such statements. It is almost impossible to read this Bill without a smile when one sees, the objects being what I have stated, how those who have contrived the Bill have carried them out. Having first laid down the proposition as to making untrue or misleading statements, they proceed to carry out the object in the following manner. The Bill says that Directors and others shall be liable to pay compensation to persons who sustain loss or damage by reason of any untrue or misleading statement, unless they prove—

Lord Halsbury

"With respect to every such untrue or misleading statement not purporting to be made on the authority of an expert, that he made reasonable inquiry and examination into the statement and had reasonable ground to believe, and did then, and up to the time of the allotment of the shares, debentures, or debenture stock, as the case may be, believe that the statement was true and not misleading."

Therefore, he must prove that he believed the statement to be true, and he must also have formed a judgment that it was not misleading, and unless he proves that he is to be liable. Further, he is to be liable unless he proves—

"With respect to every statement or extract purporting to be a statement of, or an extract from, any Report or valuation of any engineer, valuer, accountant, or other expert, that it was a true and fair statement of, or extract from, the Report or valuation, and that after reasonable inquiry and examination he had reasonable ground for believing, and did then and up to the time of the allotment believe, that the Report was made in good faith by the person whose name it bears, and the person making it was competent to make it."

He is to form all these judgments before he can shield himself from the attack of some person who has lost money by the speculation into which he was presumably desirous of entering. My Lords, what I desire to say about it is, that if that were once to be passed into law I should think every respectable man would avoid becoming a Director of any company at all. It would be impossible to get any man of repute and respectability to take such a position. It may be that those persons who, in popular language, are called "guinea pigs," are fair subjects of attack as a sort of vermin of commerce; but there is another class, the blackmailers, who are even worse, and I think the blackmailers would receive a considerable addition to their numbers if this Bill were passed un-amended. There is in this matter an existing evil, and I do not attempt to limit the importance of endeavouring to legislate on the subject. For instance, there is frequently a careless and negligent adherence to statements made without due inquiry into their truthfulness, and I should be glad to assist in framing a measure which would enforce an obligation to take reasonable care against persons who lend their names to the statements of others for the purpose of recommending investments. I once heard on high Parliamentary authority that the Second Reading of a

Bill only affirms the principle that a subject requires to be dealt with by legislation. Had it not been for that consideration, I should not have thought that such a Bill as this should have received a Second Reading; but convinced by that high authority (I refer to Mr. Gladstone) that that is the true view of a Bill, I content myself by saying that I assent to the Second Reading of this Bill, reserving to myself the liberty of saying what I may have to say at a later stage.

*LORD BRAMWELL: I have to present to your Lordships a Petition from the London Chamber of Commerce, I cannot say exactly against the Bill, and certainly not against a measure such as has been sketched by the noble and learned Lord who moved the Second Reading. I need not say that the opinion of the petitioners is entitled to very great respect. They represent the merchants of this City of London. They are neither promoters of companies nor "guinea pigs," as my noble and learned Friend has characterised a certain class of people; but they view this Bill with very great alarm indeed, and they give very weighty reasons for their fears. They say that at present capital is largely invested, and your Lordships know very well that it is so, in Limited Companies. They say they firmly believe that if this Bill passes as it stands no man of means, no man to whom litigation is of any consequence, would allow himself to be made a Director of one of those companies, because the way in which the Bill is framed and the language of the Bill is so wide and so extensive that it would be utterly impossible for any man to feel safe from the effects of such a measure if your Lordships should pass it. They further find fault with what I cannot help calling the misleading language of the Bill, language which is so vague that it would be difficult to interpret it, and I should tell your Lordships that they say they think the Bill ought to be referred to a Select Committee. Whether your Lordships should think fit to do that or not, I am sure I do not know, but that is their opinion. I agree with every word of that Petition, and I think this is a most dangerous measure as it stands. Indeed, my noble and learned Friend practically admits that. The Bill is the result of a scare due to the decision of this House in the case of "Peek *v.* Derry." It has been said, most erroneously, that that decision has left it open to persons to issue prospectuses crammed with falsehoods which they know to be such. That is utterly erroneous. In the case of "Peek *v.* Derry" it was held that where fraudulent statements, untrue statements in a prospectus, fraudulently untrue, or put into the prospectus with an indifference as to whether they were untrue or not on the part of the persons who put them in, any person who has been misled and suffers damage would have a right of action against those whom I cannot help calling the offenders who have told the untruth, either knowing it was untrue or indifferent whether the statement was true or not. I quite agree with what my noble and learned Friend on the Woolsack has said, that if this Bill had been law at that time the decision of your Lordships' House would have been just the same. I cannot help saying this, in order that your Lordships may make a proper estimate of the decision in that case: that your Lordships' House in its decision did no more than the plaintiff himself had done, for, after the whole mischief was discovered and the subject-matter of the complaint was known to Sir Henry Peek, he, a man of experience, knowing very well what he was about, moved a hearty vote of thanks to the Directors, whom he afterwards sued for their conduct in managing the affairs of the Tramway Company, which, in the result, turned out badly. He was a most candid witness, for when he was asked whether or not he would say they had committed a fraud he said, "No, I will not do that; that is for the law to say. I have been told they have done something wrong, and therefore I have brought an action against them, but I will not say that they committed any fraud at all." That was the plaintiff himself, a gentleman who knew what he was talking about. Yet somehow it has got into the minds of the public that that case has removed all restraints upon Directors, promoters, and others interested in getting bogus companies floated, and that they may do so with perfect safety and impunity. That is a grievous mistake, and I must really say on this occasion what I have very often felt a

great disposition to say before, but I have refrained out of respect to learned friends of mine who have taken a different view on the matter. I think there was positively not a pretence for that action. I will not trouble your Lordships with the statement of what it was supposed the defendants had done wrong. I am not saying that the defendants in that action had not done wrong, but it was a wrong of a most trivial character, and Sir Henry Peek did not say he had been misled, or that the untrue statement had in any way warped or biased his judgment. Now, one word more upon the subject of this legislation. I am not quite sure that it was not I who suggested it, if one may be allowed to quote one's-self. In the course of the opinion I expressed in that case I said it might be desirable to make Directors warrant the truth of the statements made in the prospectuses they issued, but I said that I very much doubted the advisability of it, because the consequence would only be that respectable men would not suffer themselves to be charged with some inaccuracy, and that in addition to that it was exceptional legislation. That is a matter which I recommend to your Lordships' attention, if the settlement of the details of this Bill should come before you. But there is one remark which I want to make, and it is this. It is a great mistake to suppose that there are very many absolutely dishonest companies. I believe, from information that I have received from persons who are thoroughly well acquainted with such matters, that although there are no doubt a great many unwise companies which are got up and launched by sanguine and foolish people, the dishonest companies that exist are very few indeed. Your Lordships should remember that the cases you hear of are not the cases of prosperous companies which go on conducting their business properly. The cases of companies which come under the notice of the public are chiefly the bad cases, those which are unfortunate, and with regard to which something has gone wrong, while people do not bear in mind that there are great numbers of solvent and prosperous companies which are not heard of. I think, therefore, this sort of outcry against these Limited Liability Companies, and everybody connected with them, is altogether unjustifiable. After what the noble and learned Lord on the Woolsack has said, I cannot object to the Bill being read a second time, which practically means the adoption of the very reasonable proposition that my noble and learned Friend, who introduced the matter, has laid before the House; but I confess that I agree with the Lord Chancellor that if it were a question whether this measure should become law as it stands or not, I should most heartily have voted that it should not.

LORD ESHER: My Lords, will you allow me to say that I support the Second Reading of this Bill, for the same reasons and in the same way that it has been supported by my noble and learned Friends, namely, that it is a most detestable measure, not one single line of which will bear the slightest examination. In addition to what has been already said by my noble and learned Friends, I will try to point out one or two other "small" defects in this Bill, which will have to be torn out of it before it can be made even a decent measure. In my opinion the 3rd clause of the Bill is open to the greatest objection, because it provides—

> "Every person who is a Director of the Company at the time of the issue of the prospectus or notice, and"—

this is stronger still, that

> "every person who is named in the prospectus or notice as a Director of the Company or as having agreed to become a Director of the Company, either immediately or after an interval of time"

"shall be liable" unless he proves a great many things. Therefore, somebody may put into a prospectus the name of a person as a Director who has never heard of the company, who has never promised or undertaken that he will be a Director; they might put in his name at a time when he is at the other end of the world, and he is to be liable! Under this provision a man who might really know nothing about the prospectus of the company, and who might actually have been at the other end of the world at the time it was put forth and published, and who has had nothing whatever to do with it, who had never sanctioned his name being placed upon

it, might, because some person had placed his name upon the prospectus without his consent, find himself called upon, in order to escape liability, to prove that he had made reasonable inquiries into the truth of the statements in the document, and had reasonable ground to believe, and did believe, down to the time of the allotment of the shares in the company, that such statements were true and were not misleading. Why, anything more contrary to natural justice cannot be conceived. Because the name of a person may have appeared in a prospectus in which there is a mis-statement, he is to be put upon the proof of all these things as the Bill now stands, which I am certain he could not possibly prove. That is one of the "slight" defects in the Bill, though it is said that does not affect the principle in the Bill, which, however, nobody can find in it, and which has been apparently invented for the purpose of obtaining a Second Reading. Another matter to be considered is that by the law of England an honest mis-statement made by a person with no intention to deceive, but which may, and does mislead another, does not give to that other person any cause of action. That is to remain the law with regard to every other mis-statement that is made by anybody under any circumstances, but you are to have a totally different law with regard to persons whose names unfortunately appear in a prospectus. Another matter is this, and I think it would be well for your Lordships to consider it. As this is made a wrongful act, it can be sued for because it is wrongful. Does anyone realise what the consequence of that is? Under the provisions of the Bill one Director might be made liable to the last farthing of his fortune without being able to obtain any contribution from his brother Directors who have done the same thing that he has. These, I think, are a few small matters to be considered in the Bill; and if it were not for the rule which has been laid down by the noble and learned Lord on the Woolsack, that by reading a Bill a second time the House is merely assenting to its principle—but which, as I ventured to say the other night, leads to more bad legislation than anything else I know—I should have moved that the Bill be read a second time this day three months.

EARL GRANVILLE: There are two or three reasons why I should not take part in this conversation: one is, that I am a layman; and another is, that not only am I a Director, but I am a Director in two companies. However, as I inherited an interest in both those companies, and as I receive no remuneration whatever for my directorial duties, I am hardly a "guinea pig," and, therefore, perhaps your Lordships will allow me to say that I am very glad Her Majesty's Government support the Second Reading of this Bill. Adopting the principle which has been described, both by my noble and learned Friend Lord Herschell and by the Lord Chancellor, as being the principle of the Bill, that principle has not been objected to by the two noble and learned Lords who followed them. At the same time, I think it is most important that two things should be carefully avoided: one that, by a side wind, you should injure the practical working of limited liability undertakings; and, secondly, the danger as has been already pointed out of preventing substantial, respectable, and trustworthy men from becoming connected with such concerns, by making them afraid to undertake the duties of Directors. Now, I feel that we are very safe, in this way: that the Bill is in the hands of noble and learned Lords who will look well to the details of the measure, and will examine them with the greatest care; and I will take this opportunity of saying that, though I have been many years in the House, I have never known it to fulfil in the degree it has lately done one of the most important functions of a Second Chamber, namely, revising the drafting and details of all the Bills that come before it. I think your Lordships should pass the Second Reading of this Bill; it would then go under the charge of my noble and learned Friend to the Standing Committee on Law, from which we may expect that it will emerge a measure which will improve the present legislation on the subject and be beneficial to the community.

LORD HERSCHELL: My Lords, I will, of course, give the fullest consideration to the—I do not know whether I am to call them friendly—criticisms which this

Bill has received. I quite feel what my noble Friend behind me has just said in reference to the importance of not doing anything which could injure the working of the Limited Liability Acts; and I am a little sensitive on this subject, because I cannot help thinking that in some quarters the enthusiasm with which this measure has been supported hitherto has not been absolutely and exclusively due to a desire to protect investors from those who would prey upon them; but that some of it has been due to a jealousy of the Limited Liability Acts, the working of which I know there would be in many quarters a great disposition to hamper and impede. Your Lordships must be very careful, I think, not so to legislate as to give any effect to the desires of those who would be willing that the working of those Acts should be interfered with. I am glad to say that I am one of those who think this measure will tend to prevent untrue statements being put forward recklessly, though it will not, and cannot, of course, absolutely safeguard those who are eager to accept any tempting offer. If we could only persuade the clergymen and widows throughout the country—for they seem to be the largest investors in those companies which from their nature come before the Court ultimately—that a very high rate of interest is incompatible with absolute security, these tempting offers of receiving 7, 8, 9, 10, and even more per cent. for their money could not be spread as at present broadcast over the country, or would be spread in vain; and those persons who are now deceived by them would be content to invest their money where it would be as safe as in Consols, or even in some of those investments which can hardly be put on a level with Consols. The truth is, that in these cases people's money is subscribed because they seem to have the greatest difficulty in learning, even when they have been more than once bitten, that they cannot have a high rate of interest without having at the same time a high condition of risk.

On Question, agreed to.

Bill read 2ª accordingly; and committed to the Standing Committee for Bills relating to Law, &c.

Lord Herschell

METROPOLIS MANAGEMENT AMENDMENT ACT (1862) AMENDMENT BILL.

(No. 168.) SECOND READING.

Order of the Day for the Second Reading, read.

LORD HERSCHELL: My Lords, I need trouble you but for a minute or two upon this measure, which has passed the other House of Parliament, and has received, I believe, the full support of the Local Government Board in its passage through that House. Its purport is to correct what I think was obviously an oversight in the Metropolis Management Acts. There exist in various parts of the Metropolis footpaths which are repaired by the parish, but which have to be flagged by the tenants. A provision in those Acts enables the parish to flag them, and casts the expenses of doing so upon the occupiers of the adjoining houses. Why that burden was cast upon the occupiers it is very difficult to understand. Similar burdens appear throughout the Acts to be cast upon the owners; and this special provision has been found to operate with grievous hardship in some parts of the Metropolis, where the Vestries have flagged the highways. The burden is cast upon the occupier, however short his tenure. It has actually happened that at the time the flagging took place the tenant, who was in occupation under a quarterly tenancy, had not only given notice to quit, but had positively quitted, the premises, and would never have anything more to do with them, at the time when the whole burden of the flagging of a portion of the footpaths was cast upon him. There can be no doubt that was not the intention of the Legislature, and the proposal of this Bill is merely to deal with those footpaths in the same way as other permanent improvements are dealt with—that is, to put the burden of them upon the owner, as defined by the Metropolis Management Acts, instead of upon the occupier, who may be a person having a tenancy which will cease immediately the work is done.

Moved, "That the Bill be now read 2ª."—(*The Lord Herschell.*)

THE EARL OF MORLEY: My Lords, I do not rise to say anything with regard to the substance of this Bill, but merely in reference to the legislation of which it

is a type. There is another measure called the Metropolis Management and Building Bill, which has reached your Lordships' House, and will come on for discussion in a few days, and also another private Bill which is promoted by the London County Council, in which there are 10 clauses referring to no less than five other Acts. I think that anybody who wants to thread the maze of such legislation as that should have a clue which he will not possess. Therefore, I would suggest to the noble and learned Lord whether he does not think it possible to bring on together before the House the two Bills relating to the Metropolitan Management Act; and I would venture to suggest that, at all events, the clauses of the one Bill should be included in the other. I merely call attention to the fact, because it seems to me that this is making legislation a good deal more confused than it necessarily need be.

LORD HERSCHELL: I am sure I shall be most happy to entertain my noble Friend's suggestion. If the Bills were both referred to the Standing Committee no doubt we might put the whole of the clauses referred to into the two Bills, but I do not know whether we could put the whole of one Bill into the other and send it down to the House. It would be practically disagreeing with everything, because you would be transferring one to the other entirely. We might put it into the Bill, and then, if the House so wished, throw it out on Third Reading. Certainly, as far as I am concerned, I will do my best to have them put into one Bill.

On Question, agreed to.

Bill read 2ª (according to order), and committed to the Standing Committee for General Bills.

BOILER EXPLOSIONS ACT, 1882, AMENDMENT BILL.—(No. 164.)

House in Committee (according to order): Amendments made: the Report thereof to be received on Thursday next.

BARRACKS BILL.—(No. 163.)

House in Committee (according to order): Bill reported without Amendment; and to be read 3ª on Thursday next.

COMPANIES (MEMORANDUM OF ASSOCIATION) BILL.—(No. 199.)

Read 3ª (according to order), with the Amendments, and passed, and returned to the Commons.

PUBLIC HEALTH (SCOTLAND) ACT, 1867, AMENDMENT BILL.—(No. 169.)

Read 3ª (according to order), and passed.

ANGLO-GERMAN AGREEMENT BILL. (No. 180.)

THIRD READING.

Order of the Day for the Third Reading, read.

EARL DE LA WARR: My Lords, with the permission of the House, I will withdraw the Motion which I have placed on the Paper for the rejection of this Bill.

Bill read 3ª (according to order).

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): I have a purely technical Amendment to make in the Schedule. It is to substitute the word "provisions" for the word "article" in the title of the Schedule, so that it will read "provisions of agreement."

Amendment agreed to.

Bill passed, and sent to the Commons.

CUSTODY OF CHILDREN BILL. (No. 98.)

Amendments reported (according to order), and Bill to be read 3ª on Thursday next.

WOMENS' SUFFRAGE BILL.—(No. 201.)

SECOND READING.

Order of the Day for the Second Reading, read.

LORD DENMAN: My Lords, in moving the Second Reading of this Bill, I shall not detain your Lordships many minutes. I fear you may think it has had a very bad advocate in times before this, but I have never heard a word said against it in any quarter, nor has there been any notice of opposition given to it. Therefore, I am at a loss to conceive that anything except my bad management of the Bill can have

caused its rejection. This question has now received support from the fact of certain women being allowed to vote for County Councillors. As I stated the other night, the Duke of Buckingham said it was a move in the right direction, meaning that it was a move in the direction of recognising the right of women to vote for Representatives in Parliament. I did not hear the speech of the Lord Privy Seal the other night, or I should have asked to withdraw the Bill which I then presented. In endeavouring to obtain the franchise for elections to Municipal Bodies in Ireland, I felt that it was right your Lordships should know there is a considerable opposition to the system of voting even by men in boroughs in Ireland. This would make the franchise uniform, and I think it would be a liberal and advantageous measure. Many have expressed themselves in favour of the principle of the Bill. I blame no one for having opposed it, and I know that some of those who have opposed me have not been able, through dissensions in their own Party, to advance that measure, for the success of which they were themselves anxious. If this Bill be now read a second time it can do no harm. I do not wish that my name should be associated with it. I only wish it to be considered as an act of trust on the part of this House in the capacity of women, although not wishing in other respects to remove them from their duties as women. There has been no argument brought forward against the passing of this Bill. It has been said if it were passed the House of Commons would take advantage of the good example set them and would also pass it, and many are pledged to carry a measure for this purpose. Women of great talent have lately come before the public, such as Mrs. Fawcett and her daughter. Surely such women are well-qualified to choose a Representative. I may mention another lady who has done incalculable good among the soldiers at Portsmouth by establishing lectures and reading-rooms for their improvement and recreation. Women are certainly entitled to select the gentlemen who shall represent them in Parliament. There are many public questions in which they are deeply interested, and they certainly should be allowed to choose a Representative, who will, as they may consider, act wisely in those great questions, such as the protection of children, marriage with a deceased wife's sister, and other questions in which women are interested. My Lords, I beg to move that this Bill be read a second time.

Moved, "That the Bill be now read 2ª." —(*The Lord Denman.*)

THE MARQUESS OF SALISBURY: I am afraid I must answer this Motion as I have already answered similar previous Motions. It is not in accordance with the comity of Parliament that a Bill should be introduced in one House of Parliament for the purpose of reforming the other, and we cannot, therefore, entertain a Bill for that purpose. I beg to move that the Bill be read a second time this day three months.

Amendment moved, to leave out ("now") and add at the end of the Motion ("this day three months.")—(*The Marquess of Salisbury.*)

On Question, whether the word ("now") shall stand part of the Motion, resolved in the negative; Bill to be read 2ª this day three months.

INFECTIOUS DISEASE (PREVENTION) BILL.—(No. 117.)

Read 3ª (according to order), with the Amendments, and passed, and returned to the Commons.

DIRECTORS' LIABILITY BILL.—(No. 165.)

Petition that the Bill may be referred to a Select Committee; of the London Chamber of Commerce; read, and referred to the Standing Committee for Bills relating to Law, &c.

CENTRAL LONDON RAILWAY BILL.

QUESTION — OBSERVATIONS.

THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK): I wish to ask my noble Friend the Chairman of Committees a question in reference to the Central London Railway Bill. Your Lordships will remember that on the introduction of the Bill there was an understanding that if it went to a Select Committee there should be some means of ascertaining what evidence had been given with regard to St. Paul's Cathedral. I desire to ask my noble

Friend what steps he has taken in that matter?

THE EARL OF MORLEY: I have inquired, and I find that the evidence with regard to St. Paul's Cathedral would be scattered generally through the engineer's evidence, and would not solely appear in the case made for St. Paul's Cathedral. I thought, therefore, the best plan would be to have two or three copies of the evidence placed in your Lordships' Library, where any Peer who wishes to study any part of it can have access to it.

House adjourned at a quarter before Seven o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 15th July, 1890.

PRIVATE BUSINESS.

MARTIN'S NATURALISATION BILL [LORDS.]

THIRD READING.

Motion made, and Question proposed, "That the Bill be now read the third time."

(3.5.) MR. COURTNEY (Cornwall, Bodmin): I desire to call the attention of the House to this Bill, although I have already made a special Report upon it, which has been circulated with the Votes, but which, I am afraid, may have escaped the attention of hon. Members. It will be within the knowledge of the House that at one time naturalisation could only be accomplished by an Act of Parliament, just as divorce could only be obtained by an Act of Parliament. But the law of divorce was altered, and so, also, has been that of naturalisation, an Act having been passed to enable foreigners, who desire to be naturalised, to obtain a certificate from the Home Secretary, after a residence of five years, and after giving satisfactory guarantees in regard to conduct. That is the usual process adopted in regard to naturalisation; but from time to time cases arise in which applications are made for naturalisation in accordance with the old process of proceeding by Act of Parliament, in which the applicant has not resided here for five years. Acts have accordingly been passed enabling persons who have not resided here for five years to obtain naturalisation. The two cases now before the House are cases of that kind. In the first, Madame Martin has resided here for a little over two years. By birth she is a Spaniard, and she married a Spaniard, who went to reside in France, and became a naturalised Frenchman. Since then she has become a widow, and she has resided in this country for two years. She now desires to obtain naturalisation. She is not an old woman, but she is prudent, and is anxious that, in the event of her death, and the disposition of her property, there shall be no dispute as to her nationality. Madame Martin is now a widow living in England. The point is whether the Legislature, having prescribed a general law, an Act of Parliament should step in giving facilities to persons who are rich enough to obtain naturalisation before the five years have elapsed. I have, therefore, thought it desirable to call the attention of the House to the matter. In the second case, the applicant desires to become a partner in a City firm, and he cannot do so until he becomes an Englishman. He has only lived in the country for 18 months. In each instance the character of the applicant, as far as I can ascertain, is unexceptionable. In order that the House may have an opportunity of considering the matter, I move the adjournment of the Debate until Friday. In the mean time, any hon. Member who is interested in the matter can devote his attention to it, and see whether it deserves any further action or protest.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Courtney.*)

*(3.10.) MR. BRADLAUGH (Northampton): Although the case of Madame Martin is quite new to me, I should like to say a few words upon it. I think the question has already been decided in the case of "Laneuville *v.* Anderson," in which the question of domicile in connection with a testamentary disposition of property was discussed by the House of Lords at full length. The effect of that decision is that it is not

necessary for an individual to be naturalised, if he or she intends to settle here. I would suggest, therefore, that there is not sufficient reason for an Act of Parliament, as naturalisation could be effected in due course otherwise that on the grounds for which it is now asked. I do not wish to stand in the way of these Bills, but it seems to me that when a general naturalisation law has been passed, there ought not to be exceptions.

SIR ROPER LETHBRIDGE (Kensington, N.): I wish to direct attention to the fact that this lady is possessed of real property in France, and is considered to be a French subject. It is unnecessary to remind the hon. Member for Northampton (Mr. Bradlaugh) that the law of France deals with real property in a special manner.

*MR. BRADLAUGH: The case of "Laneuville and Anderson," of which I have been speaking, was exactly a case in point.

Question, "That the Debate be now adjourned," put, and agreed to.

Debate adjourned till Friday.

QUESTIONS.

INDIA—UNCOVENANTED CIVIL SERVANTS.

MR. BRYCE (Aberdeen, S.): I beg to ask the Under Secretary of State for India whether the Government will consent to extend the Reference of the recently appointed Select Committee on certain points affecting the rights and claims of Members of the Uncovenanted Civil Service of India, so as to include various grievances of which the Civil Engineers in the employment of the Government of India complain in respect to their promotion, and to the manner in which posts in the Public Works Department are allotted?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The subject raised in the hon. Member's question is rather for the House to consider than the Government.

MR. BRYCE: Will the Government oppose the extension of the Reference if a private Member were to propose it?

SIR J. GORST: That question ought hardly to be addressed to me.

THE BERLIN LABOUR CONFERENCE.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.): I beg to ask the Under Secretary of State for India whether, considering that the International Labour Conference at Berlin is expressly stated in the Emperor of Germany's opening address to be a Conference of European States, that the Letter of the British Plenipotentiaries, of 19th March, 1890, states that "Southern Countries" are interpreted to mean Italy and Spain, and that Sunday rest was a prominent feature of the deliberations and resolutions of the Conference, he can say whether the case of more southern, tropical, and semi-tropical, non-European, and non-Christian countries was in any degree considered by the Conference; and, if not, whether the Secretary of State, in sending the resolutions of the Conference to the Government of India, has drawn attention to that circumstance, and has taken care that the Government is left perfectly free to deal with the matter, with sole reference to the situation and feelings of the natives of India, and is to be in no way hampered by the example of European countries; and whether it is quite understood that the postponement of legislation by the Government of India was entirely spontaneous, and in no way suggested by the Secretary of State, with a view to more stringent legislation founded on European examples?

SIR J. GORST: With regard to the proceedings of the Berlin Conference, the hon. Member will find them all fully stated in the Papers laid before Parliament. The Despatch in which the Secretary of State forwarded the proceedings to the Government of India, will be produced as soon as the correspondence relating thereto is completed. The answer to the last paragraph of the question is in the affirmative. The action of the Government in India was entirely spontaneous.

BEETROOT SUGAR IN INDIA.

SIR GEORGE CAMPBELL: I beg to ask the Under Secretary of State for India if the Indian Agricultural Department have made any trials with the view of introducing the cultivation of beet and manufacture of beetroot sugar into India, or will do so in view of the

present shortness and dearness of sugar in that country necessitating importation?

SIR J. GORST: Yes, Sir; trials have been made at Scharmpore and other places, but they have not been attended so far with any conspicuous success.

THE LAWRENCE ASYLUM PRESS.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Under Secretary of State for India what reply has been given to a Memorial addressed to His Excellency Lord Connemara by the printing and cognate trades of Madras, complaining of the competition which they have to sustain with the Lawrence Asylum Press, a *quasi* Government institution, and protesting against the contemplated extension of its operations; whether the Asylum Press is exempt from the payment of Income Tax; whether it has recently added a new branch, namely, the sale of books on commission; and whether the erection of enormous new premises has commenced, and at what estimated cost?

SIR J. GORST: The whole subject of the Memorial in question and the position of the Lawrence Asylum Press is now under the consideration of the Madras Government. So far as the Secretary of State is aware, no decision has yet been arrived at.

MR. PICKERSGILL: Can the right hon. Gentleman say whether, in the meantime, the construction of the new premises will be proceeded with?

SIR J. GORST: I think that is a matter in the discretion of the Government of Madras.

HALL-MARKING.

MR. BRADLAUGH: I beg to ask the Under Secretary of State for India whether he can state to the House the tenor of any communications received this year from the Viceroy on the subject of hall-marking, or whether he will lay upon the Table any correspondence on the subject?

SIR J. GORST: No official communication has been received from the Government of India respecting the matter referred to, except a very recent telegram in reply to a Despatch of May 15th. As the correspondence is not yet closed, the Secretary of State cannot at present state the tenor of this telegram.

*MR. BRADLAUGH: Will the right hon. Gentleman be surprised to hear that Colonel Ardagh, the Private Secretary of the Viceroy, wrote to say—

"The case is one in which Imperial interests are involved, and the decision remains with Her Majesty's Government, who have been made fully aware of the entire position of hall-marking."

SIR J. GORST: No, Sir; I am not at all surprised to hear that the Private Secretary of the Viceroy has written on the subject.

*MR. BRADLAUGH: I did not complain of Colonel Ardagh's letter, but I simply asked whether, as late as the 16th of June, Colonel Ardagh had communicated with the Secretary of State to the effect I have just read.

SIR J. GORST: I stated that the correspondence with the Viceroy on the subject of hall-marking has not yet closed, and, until it is closed, I am not in a position to make any statement.

*MR. BRADLAUGH: Then I did not rightly understand the right hon. Gentleman at first to say that there had been no official communication except a telegram?

SIR J. GORST: The hon. Gentleman understood me quite rightly. I said that there had been no official communication except a telegram.

*MR. BRADLAUGH: Then there has been official correspondence between the Viceroy of India and the Secretary of State on the subject of hall-marking?

SIR J. GORST: No, Sir.

*MR. BRADLAUGH: Then I beg to give notice that upon the Indian Budget, or at some other time, I shall read extracts from the correspondence.

CHARGE AGAINST AN INDIAN MAGISTRATE.

MR. BRADLAUGH: I beg to ask the Under Secretary of State for India whether the Secretary of State is aware that, in the case of "Kapur Chander Lal *v.* Rounuk Thakur and others," in the district of Tirhoot, Mr. Luson, Joint Magistrate, who tried the case after appeal had been entered against his decision, had interpolated the name of a defendant and altered his judgment after he had issued it, and given an attested copy of it both in the original judgment

and the copy; though the judgment and the charge-sheet did not contain the name of the prisoner (Maharoj), yet he was sent to gaol, with a warrant containing a specific sentence; whether his attention has been called to the fact that the High Court Judges who heard the appeal declared—

"We cannot regard the omissions as clerical errors, such as would entitle the Joint Magistrate, under Section 369 of the Code, to make any correction in his judgment or other portion of the record,"

and that—

"In this case the effect of the alteration has been to make it appear that a man who has never been either charged, convicted, or sentenced, has been duly convicted and sentenced, the alterations so made being after he had repealed;"

whether Mr. Luson is still a Magistrate; whether he has been promoted since the above facts became known to the Government of India; and whether the Secretary of State proposes to take any, and what, action in the matter?

SIR J. GORST: The Secretary of State has no information upon the facts alleged in this question. He proposes to send the hon. Member's question to the Government of India.

THE METROPOLITAN POLICE.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the Secretary of State for the Home Department if his attention has been directed to the considerable difference in the rates of pay of every grade in the Metropolitan Police compared to those given by the Corporation of London to the City Police; and if, bearing in mind that the duties of the Metropolitan Police are both more arduous, more irregular, and more hazardous, owing to the excess of population, of crime, and of street demonstrations, he will give consideration to the matter with especial reference to the difficulty experienced by the police attached to the inner or town divisions in finding respectable lodgings for their wives and children, at moderate rentals, sufficiently near their respective police stations; and further, if, having regard to the frequency of Sunday leave and Sunday rest being interfered with by vast processions, requiring extra duty on the part of hundreds of men, he will consider whether the nine hours' continuous duty qualifying for refreshment allowance might not be advantageously reduced in such cases?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): Yes, Sir; the present law as to receiving Police Pensions is as stated. I understand that personal attendance is not required in the case of naval or military pensioners, but declarations have to be submitted by them under Section 6 of the Appropriation Act of 1889. It is my object and desire to save police pensioners from any needless inconvenience and expense, and I am advised that Sub-section 8 of Clause 7 of the Police Bill now before Parliament will, if passed into law, be effective in this direction.

MR. HOWARD VINCENT: I beg to ask the Secretary of State for the Home Department if Metropolitan Police pensioners are, under the present law, unable to draw their pensions save upon personal attendance at Scotland Yard, or upon submitting a declaration taken before a Magistrate, and that no such condition attaches to the payment of Naval and Military pensions; and in such cases, if he will make such addition to the Police Bill, as, while fully protecting the public, may enable a police pensioner to draw his deferred pay with as little inconvenience or expense to himself as is practicable?

MR. MATTHEWS: Yes, Sir; undoubtedly the City scale is, and probably will always be kept, higher than the Metropolitan; but there are certain compensating advantages which are enjoyed by the Metropolitan Police, and it is obvious that a scale of pay can be applied more easily to a comparatively small Force in a wealthy area than to a very large Force supported to a great extent by a poorer class of ratepayers. Moreover, it should be clearly understood that any general increase of the present pay of the Metropolitan Police cannot be effected without legislation authorising an increased rate. With regard to the suggestions in the second paragraph of the question, these are matters all of which are now engaging the careful attention of the Commissioner and of myself, with every desire to adjust the existing regulations to the alterations which have arisen of late in the conditions of police service.

ADJUTANTS OF VOLUNTEER ARTILLERY.

COLONEL HILL (Bristol, S.): I beg to ask the Secretary of State for War whether it be true that considerable difficulty is experienced in inducing Officers of the Royal Artillery to take the post of Adjutant to the Volunteer Artillery; whether this difficulty arises chiefly in consequence of the insufficiency of the present pay, allowances, and travelling allowances, to meet the unavoidable expenses connected with the appointment; whether, in view of the important position assigned to the Volunteer Artillery in the scheme for the defence of the country, it is of the greatest importance that they should receive the best possible instruction; and whether he will consider the desirability of endeavouring to obtain such instruction by attaching to the appointment of Adjutant an additional allowance of 6s. per day, thereby rendering them more attractive to the Officers of the Royal Artillery?

THE FINANCIAL SECRETARY FOR WAR (Mr. BRODRICK, Surrey, Guildford): From time to time difficulties have arisen as to the appointment of the Adjutants in question, but it is hoped that they may be overcome without incurring the serious expense suggested by the hon. Member. The subject is under consideration.

CABLE BETWEEN HALIFAX AND BERMUDA.

SIR E. WATKIN: I beg to ask the Secretary to the Treasury whether the Cable between Halifax and Bermuda is yet laid; and, if so, when it will be in operation?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): The laying of the Cable from Halifax to Bermuda was completed a few days ago, and I understand that the line is now in operation. Telegrams were exchanged yesterday between the Treasury and its Representative in Bermuda within four hours.

ARMENIA.

MR. LEVESON-GOWER (Stoke-upon-Trent): I beg to ask the Under Secretary of State for Foreign Affairs whether he can state when Mr. Clifford Lloyd's Report and other Papers upon the present condition of Armenia will be in possession of the House; and whether, with a view to the serious state of affairs in that country, he will do his best to hasten their publication?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): Papers up to a recent date respecting Asiatic Turkey have not long since been presented. Further Papers will be given when the full Reports of recent occurrences have been received.

MR. BURNETT'S REPORTS.

MR. CAMERON CORBETT (Glasgow, Tradeston): I beg to ask the President of the Board of Trade if he can see his way to have Mr. Burnett's Reports on matters affecting the working classes sent to workmen's clubs and institutes without charge?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The suggestion of the hon. Member is one well worthy of consideration, and I will bring the matter under the consideration of the Treasury, without whose authorisation no gratuitous distribution of Parliamentary Papers can be made.

*MR. BRADLAUGH: When will part 3 of these valuable Reports be laid on the Table?

*SIR M. HICKS BEACH: I cannot say, off-hand, but I will inquire.

PERPETUAL AND HEREDITARY PENSIONS.

MR. BRADLAUGH: I beg to ask the Chancellor of the Exchequer whether he can yet state, or whether he will lay upon the Table, a Minute showing the course the Government intends to pursue in reference to the several perpetual and hereditary pensions, payments, and allowances still uncommuted, and the abolition of which was unanimously recommended by a Select Committee of this House so far back as 1887?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The Minute was placed in my hands to-day, and will be laid on the Table to-morrow.

ORDERS IN COUNCIL.

MR. GAINSFORD BRUCE (Finsbury, Holborn): I beg to ask the Secretary

to the Treasury whether he is aware that, although by virtue of numerous Acts of Parliament Orders in Council published in the *London Gazette* have from the date of publication therein the same force in law as Acts of Parliament, in case the *London Gazette* is applied for at the offices of the publishers within six months of the date of publication, a charge of one shilling is made for the same, and after that date an increased charge is made for such copies as remain in print, and that it frequently happens that copies of the *London Gazette* containing Orders in Council having the force of Acts of Parliament are allowed to be out of print, so that they cannot be purchased even at an increased charge; and whether, having regard to the large sum paid to Her Majesty's Government by the publisher for the privilege of printing and selling the *London Gazette*, Her Majesty's Government will take measures to provide that Orders in Council having the force of Acts of Parliament should be on sale at prices not exceeding those charged for Acts of Parliament?

MR. JACKSON: I think there is force in the point raised by my hon. Friend, and I will consult the Statute Law Committee upon it, who are at present considering how to make Orders in Council, Warrants, or Minutes founded on Acts more available.

THE CENSUS.

MR. ARTHUR ACLAND (York, W.R., Rotherham): I beg to ask the President of the Local Government Board when the Report of the Departmental Committee on the Census, which was promised many weeks ago, and has been laid upon the Table for some time, will be circulated?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): No one can be more astonished than myself to find that the Paper has not already been distributed. It will be in the Vote Office to-morrow.

REMUNERATION OF HOUSE OF COMMONS OFFICIALS.

SIR ROBERT FOWLER (London): I beg to ask the First Lord of the Treasury whether, in consequence of the increased length of the Sessions of Parliament, Her Majesty's Government will propose an increase in the remuneration of the officials of the House of Commons?

MR. H. GARDNER (Essex, Saffron Walden): May I ask whether, in view of the proposed length of the Session, the Government will consider the desirability of providing remuneration for Members of Parliament, as well as the officials?

*MR. GOSCHEN: My right hon. Friend has requested me to answer this question. We are, of course, fully conscious of the value of the services rendered by the officials of this House, but we do not think that either their hours of attendance or their emoluments will compare unfavourably with those of other public servants.

SIR R. FOWLER: I beg to give notice that I will call further attention to this subject.

PUBLIC BUSINESS.

*MR. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the First Lord of the Treasury whether he will now state, for the convenience of the House, whether Bills are to be proceeded with or Supply taken after to-day's sitting, and, in the former case, what Bills, in the latter, what Votes?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I intend to proceed with the Irish Estimates to morrow, Thursday, and probably Friday also.

SIR W. HARCOURT (Derby): It would be convenient to know precisely when the proposals of the Government upon Local Taxation will be laid before the House?

*MR. GOSCHEN: I will take care that the Government proposals with regard to the Local Taxation Bill are before Members in sufficient time to give them an opportunity of considering them. It is not possible yet to fix a day for their discussion. I will make the proposals known to the House either on Thursday or Monday. I will abide by this answer.

MR. J. MORLEY (Newcastle-upon-Tyne): When will the Report of Supply be taken?

*MR. W. H. SMITH: If a Vote is taken at or about 11 o'clock, the Government propose then to take Report of Supply. The Irish Estimates will be taken to-

morrow, Thursday, and possibly also on Monday.

*MR. J. E. ELLIS: As I have a question on the subject, I do not know whether the right hon. Gentleman has anything to add to the answer just given by the Chancellor of the Exchequer respecting the Local Taxation Bill.

*MR. W. H. SMITH: No, Sir.

MR. J. O'CONNOR: At what time does the right hon. Gentleman propose to move the Closure?

[No answer was returned.]

HELIGOLAND.

MR. CHANNING (Northampton, E.): I beg to ask the First Lord of the Treasury when the copies of the terms of the Capitulation of Heligoland in 1864 and 1868 as to the Government of Heligoland, ordered to be printed by the House, will be printed and delivered?

*MR. W. H. SMITH: It is hoped that the Papers will be issued in the course of the week.

MR. SUMMERS (Huddersfield): I beg to ask when the Papers relating to Heligoland that were promised on 24th June will be laid upon the Table of the House?

*MR. W. H. SMITH: Almost immediately.

MALTESE MARRIAGES.

MR. BRYCE: I beg to ask the First Lord of the Treasury whether he will lay upon the Table of the House, before the Colonial Vote is reached, the Project of Law regarding marriages in Malta, which has been drafted in the Colonial Office for the purpose of being presented to the Legislative Council of Malta, so as to carry out the engagements recently contracted by Her Majesty's Government with His Holiness the Pope; and whether it is the fact, as has been reported, that this draft Project of Law has given rise to grave objections on the part of the representatives of the Church of England and other Protestant Churches now existing in Malta?

*MR. W. H. SMITH: The draft of an Ordinance regarding marriages in Malta has been prepared by the Government of Malta and submitted for the approval of the Secretary of State, who has called for further information before considering its provisions. It is not proposed to lay the draft upon the Table. It would be most unusual, if not without precedent, to present drafts of colonial measures which are under discussion. Objections have been made, as stated in the question, but to provisions which the objectors have anticipated the Ordinance will contain. Full consideration will be given to any objections.

*MR. BRYCE: Was there not an engagement to afford an opportunity of discussing this question on the Colonial Vote?

*MR. W. H. SMITH: I cannot charge my memory with having made such an engagement. It is not possible for the Government to initiate an arrangement of this kind in the manner suggested by the hon. Member.

*MR. BRYCE: Is there not a draft Ordinance in existence, and has it not been shown to a good many people in London?

*MR. W. H. SMITH: There is a draft Ordinance, but it is under consideration, and, therefore, cannot be laid before the House.

TORY ISLAND.

SIR EDWARD WATKIN (Hythe): I beg to ask the Postmaster General if it is true that the poles for the postal telegraph land lines, to connect with the lines and cable now being laid between the lighthouse on Tory Island, on the north-west coast of Ireland, and the main land of Ireland, by Lloyd's, are to be conveyed from England to Ireland by sea, notwithstanding that plentiful supplies of timber exist on the spot; and whether he will give such instructions as will lead to the completion of the Post Office work by the time the work carried out by Lloyd's is ready for public use?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): In reply to the hon. Member I have to state that the poles on which the wire will be erected to connect the cable from Tory Island with the postal telegraph system are now being conveyed by sea from the depôt at Belfast. There is no suitable timber on the spot. The terms of the Department were accepted by Lloyd's in a letter dated the 25th ultimo, and I hold in my hand a later letter from the secretary of that Institution thanking the Post Office for the steps it has promised to take to expedite the erection of the land line.

MAIMING HORSES AT TULLYGLASS.

COLONEL SAUNDERSON (Armagh, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, on the night of the 7th instant, a yearling colt belonging to the Knight of Glyn was killed on an evicted farm of his at Tullyglass, a three year old colt stabbed in 30 places, and a two year old colt cut in two places; and whether any arrests have been made in consequence?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Constabulary Authorities report that it is the case that on the 8th instant a yearling colt belonging to the Knight of Glyn was found killed on an evicted farm of his. The colt's skull had been battered in, and there were several wounds over the body as if inflicted with a hay fork. A three year old colt was also found stabbed in 30 places, apparently with a hay fork, and a two year old colt was likewise found cut in two places. No arrests have so far been made.

MR. SEXTON (Belfast, W.): Is there any extra Police Force at the place?

MR. A. J. BALFOUR: I do not know, but will inquire.

GUN LICENCES.

MR. MORROGH (Cork, S.E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether Mr. Philipps, clerk of Petty Sessions at Timoleague, in the county of Cork, was recently prosecuted by the Inland Revenue Authorities for having carried a gun without a licence; whether the case was first dismissed by the presiding Magistrates; whether, when notice of appeal was given by the official who prosecuted, a fine of £2 10s. was imposed on the defendant; and whether the conduct of the Magistrates will be brought under the notice of the Lord Chancellor?

MR. A. J. BALFOUR: I am informed that Mr. Philipps was prosecuted by the Inland Revenue Authorities, as stated in the first paragraph, and that the Magistrates intimated their intention of dismissing the case in view of Mr. Philipps' explanation that he was merely conveying the gun to his new residence. The Inland Revenue representative, however, pressed the case, and stated that he would appeal against a dismissal, whereupon the Magistrates, after consultation, decided to impose a fine of £2 10s. with a recommendation to the Revenue Commissioners that the penalty should be reduced to a minimum, as there appeared, in the Magistrates' opinion, that no fraud had been attempted in the case, or any intention to break the law. I am not aware of anything in the case requiring the attention of the Lord Chancellor.

THE BANK OF IRELAND.

MR. DEASY (Mayo, W.): I beg to ask the Chancellor of the Exchequer whether, in view of the fact that the Bank of Ireland, with an authorised issue of £3,738,428, has an actual issue of not more than £2,700,000, or £1,000,000 under its powers, and that some other Irish banks have an actual issue of notes largely in excess of their authorised issues, and other Irish banks again are prohibited by the condition of the law from having any issue, the Government will take any measure to so adjust the issues as to give banks which are in excess of their authorised issues further facilities in that direction should their capital and resources warrant it, and to confer upon banks of non-issue, which at present labour under serious disabilities, such issuing powers as their respective business and resources entitle them to?

*MR. GOSCHEN: The question of the hon. Member raises very broad points of policy, amongst them that as to the propriety of conferring new powers of issue on banks which are at present non-issuing. The question of the extension of private issue is one of very great importance and delicacy. Any action, such as is suggested in the question of the hon. Member, would require legislation, and such legislation is clearly not possible at present. I have been anxious to deal with the whole subject of the paper currency, but it would require time and a clear course to carry any large measure of reform.

MR. SEXTON: Is there any objection to a regular inquiry with a view to legislation?

*MR. GOSCHEN: I am conversant with the general facts of the case, and I do not think that an inquiry would be of much advantage.

OUTRAGE IN LIMERICK.

MR. SHEEHY (Galway, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has now ascertained that Mr. Gubbins, into whose house an explosive machine was thrown on 20th June, is an inhabitant of the parish of Oola, in County Limerick, and not of the town of Tipperary; whether a man named John Rafferty has been arrested and returned for trial, and admitted to bail; and why Rafferty has been admitted to bail?

MR. A. J. BALFOUR: The hon. Member, in putting this question, apparently intends to refer to my reply to a question put by the hon. Member for South Tyrone on 26th June. My reply then given was quite accurate. An explosive outrage was committed on 25th June, at the dwelling house of Mr. Joseph Duggan, in the main street, Tipperary, and, as I then stated, though I was at the time emphatically contradicted by the hon. Member who puts this question, Mr. Duggan is a shopkeeper. His business is that of a hardware merchant. The other outrage which the hon. Member now mentions is a wholly different one.

MR. SHEEHY: Will the right hon. Gentleman answer the last paragraph of the question?

MR. A. J. BALFOUR: I do not know why. I may be able to obtain further information.

CHARGE OF "MOONLIGHTING" AGAINST A POLICEMAN.

MR. W. A. MACDONALD (Queen's Co., Ossory): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has seen a paragraph in the *Echo* of Saturday, headed "Moonlighting by a policeman," which stated that Constable Palmer has been convicted of smashing the windows of two houses in Tipperary, and has been sentenced for the second offence to two months' imprisonment with hard labour, but that the District Inspector of police said there would be a difficulty in finding him as he had left the country, and that the Magistrates made no observations on the conduct of the police in allowing the prisoner to escape; whether the Returns made to this House of outrages reported to the Royal Irish Constabulary include any outrages committed by members of the Constabulary themselves; and, if so, can he state in how many instances; and whether, if the facts are as stated, he will order a full inquiry to be made into the conduct of the police in allowing this constable to escape from justice?

MR. A. J. BALFOUR: The answer to the first paragraph is, Yes. In answer to the second paragraph, the agrarian outrage Return only deals with offences which have an agrarian motive. The Return of ordinary outrages will, of course, include any committed by policemen. I am not aware whether there be any such. Thirdly, the police have no power to arrest, as there was no warrant issued against Palmer.

In reply to a question from Mr. CLANCY (Dublin Co., N.),

MR. A. J. BALFOUR said: The policeman was suspended at once from duty.

MR. W. A. MACDONALD: Does the right hon. Gentleman mean to assert that when the summons was issued the police had no power of preventing the constable from making his escape. Could they not at least have watched his proceedings?

MR. A. J. BALFOUR: In all probability his proceedings were watched.

MR. SEXTON: Why, in the case of a serious offence of this kind, committed at midnight by a constable, was he not shadowed and his escape prevented?

MR. A. J. BALFOUR: I do not believe it is the custom to shadow a person who has been summoned to appear before an ordinary tribunal.

MR. SEXTON: Did not the constable break the windows of several houses on the night in question?

MR. A. J. BALFOUR: I do not gather that he did, or that the circumstances of the outrage were such as to constitute it a felonious act.

MR. R. L. JOYNT.

MR. JORDAN (Clare, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if Mr. Robert Lane Joynt has been appointed a Magistrate for the County of Clare; whether any property qualification in the county is necessary to such appointment; and, if not, on what other ground did he obtain the office; and whether there was any necessity for an appointment to the

Magistracy at the time; and, if so, why did not the Lord Lieutenant of the County recommend to the Lord Chancellor of Ireland a resident and fit Catholic in Clare to the office of Magistrate?

MR. A. J. BALFOUR: I am informed that Mr. Robert Lane Joynt has been appointed to the Commission of the Peace for the County Clare. He was recommended by the Lieutenant of the County as a fit and proper person to be a Magistrate, and appointed in the ordinary course. He has a residence in the county and is agent over the extensive property of Colonel White, who is obliged through ill-health to live out of Ireland. Mr. Lane Joynt was appointed to attend at Ballyvaughan Petty Sessions, where the services of an additional Magistrate were required. It rests solely with the Lieutenant of the County to submit names.

KILRUSH QUARTER SESSIONS.

MR. JORDAN: I beg to ask the Attorney General for Ireland whether it is a fact that there is an unsettled case at the instance of Patrick Lynan, Queen Street, Kilrush, in the Kilrush Quarter Sessions Court, for the past six years and nine months, and which has on some point of law been adjourned from Sessions to Sessions; and whether he will inquire into the cause of the delay?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, University of Dublin): I am making inquiry on the subject, and must ask the hon. Gentleman to postpone the question until Monday.

"SHADOWING" IN IRELAND.

MR. J. O'CONNOR (Tipperary, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that Mr. P. D. Kenny, of Birmingham, lately shadowed in Ireland by the police, writes to the *Daily News*, saying that

> "Politics are no part of his business," denying "that he belongs to the National League of Great Britain," or "that he gave any one authority to describe him as about to attend an Irish meeting," and adding "that there was no reason in fact for the conduct of the police;"

and whether, in view of these statements, he has any further information to communicate to the House as to this case?

Mr. Jordan

MR. A. J. BALFOUR: I am not aware whether Mr. Kenny wrote the letter referred to, but it is altogether at variance with his utterances reported in the Nationalist Press. Mr. Kenny has publicly stated that he was a member of the National League of Great Britain, and he is reported as having attended meetings of suppressed branches of the League.

IRISH GENERAL ASSEMBLY.

MR. PINKERTON (Galway): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been directed to resolutions passed, on Wednesday last, at a meeting of lay and clerical members of the Irish General Assembly, demanding, for the Presbyterians, a fair share in the Parliamentary representation of Ulster, and also "the abolition of dual ownership in land;" and if he will use his influence with the Government to carry out and give effect to these recommendations?

MR. A. J. BALFOUR: I have not received a copy of the resolutions in question.

MR. PINKERTON: I will send a copy to the right hon. Gentleman.

GALWAY HARBOUR.

MR. PINKERTON: I beg to ask the Secretary to the Treasury if he is aware that the sum of £45,000, borrowed by the Galway Harbour Commissioners from the Board of Works for the purpose of improving their harbour, was advanced by that Board after careful examination and full approval of the plans and specifications submitted by Mr. Price, C.E., and that resolution, passed by the Harbour Board in favour of carrying out these new works, was only carried by a majority of one; if, after an expenditure of £45,000, a deep dock was constructed without an entrance channel, the water in the dock being 10 feet deeper than in the channel outside; and if, seeing that the port has derived no benefit from this expenditure, and as the Board of Works approved of and are responsible for everything that was done in the harbour, the Government will consider the advisability of either expending a further sum to deepen the entrance channel so as to complete the works as at first designed, or relieve the port from the burthen of this debt?

MR. JACKSON: I am not aware by what majority the Galway Harbour Board agreed to the execution of the works of improvement which they themselves initiated. The Board of Works only approved the plans submitted by the engineer to the Harbour Board so far as they affected the security for the loan which they were asked to advance, and a loan of £28,000 to be supplemented from the funds of the Harbour Board was advanced in 1880. During the execution of the works the Harbour Board, without consulting the Board of Works, enlarged the area of the dock. Owing to this the funds available proved insufficient; a further loan of £8,100 was granted by the Treasury with great reluctance. I cannot admit that any responsibility attaches to the Board of Works.

EVICTIONS AT CASTLEISLAND.

MR. GILHOOLY (Cork, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any moneys are due to the Board of Public Works, Ireland, on the farms from which Messrs. James Leahy, Jeremiah Nugent, and Michael Donovan, have been evicted at Castleisland, County Cork, and of which Mr. Thomas Henry Marmion is now in occupation; if moneys are due on them what are the amounts; and what steps have been taken, if any, to recover them?

MR. JACKSON: I am informed that the loans advanced were to James Leahy, £39; to Michael Nugent, £40; and Michael Donovan, £50; of which £37, £35, and £47 remain outstanding. Proceedings have been taken against Leahy and Donovan, who, however, have been found to have no means. No proceedings have been taken against Nugent, who is only one gale in arrear.

INCREASED PAY FOR TELEGRAPHISTS.

EARL COMPTON (York, W.R., Barnsley): I beg to ask the Postmaster General whether the statement in the *Times* of to-day is correct as regards an improved scale of pay for telegraphists throughout the United Kingdom; what are the further advantages which, according to the *Times*, have been accorded to telegraphists in the matter of overtime, Sunday work, Bank holidays, and sick leave; whether it is a fact that 192 officials have been debarred from participation in any benefits to be accorded to others; and, if so, what is the reason for this punishment?

*MR. RAIKES: An improved scale of pay has been granted to telegraphists throughout the United Kingdom. I have not had time to examine the statement in the *Times*. All overtime, including Sunday work in the provinces, will be paid for at the rate of a time and a quarter. Telegraphists whose services are required on Bank holidays will be remunerated for them by extra pay at the ordinary, not the overtime rate, in any case when a holiday cannot be afforded on some other day. As I have, I think, already stated in this House, no deduction will henceforth be made in pay during sick absence in cases which the Postmaster reports to be of genuine illness. This was notified to the staff some weeks ago. I greatly regret to add that in consequence of a brutal and cowardly assault, committed last Friday by a number of telegraphists, at the Central Office, upon an unoffending person temporarily employed there, I have felt obliged to exclude from participation in these advantages those telegraphists whom there is ground to suspect of complicity in this outrage until they have cleared themselves of any share in it.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): Was this unfortunate man who was mobbed severely injured and unable to work in consequence?

*MR. RAIKES: I do not know the actual extent of the man's injuries, but I do know that the man was mobbed, hustled, jeered at, beaten with a stick, and spat upon.

MR. CUNINGHAME GRAHAM: I wish to know whether the man was so severely injured as to be unable to pursue his business?

*MR. RAIKES: I do not know the precise nature of the personal injuries received by this man.

MR. SHAW LEFEVRE (Bradford, Central): What would be the increase in the charge for the Service under the proposals of the right hon. Gentleman?

*MR. RAIKES: I think it would have been better if notice had been given of the question. Speaking generally, I believe that the cost of these additional advantages for telegraphists and sorting

clerks will amount to no less than £200,000 a year.

MR. T. M. HEALY (Longford, N.): Does the right hon. Gentleman intend to throw upon the persons suspected of the mobbing at the Central Office the burden of proving that they were innocent? Is the right hon. Gentleman going to disregard the legal presumption in favour of innocence until guilt is proved?

*EARL COMPTON: I wish to know whether some inquiry will be made into the case? I am informed that it has been greatly exaggerated.

*MR. RAIKES: The matter will form the subject of an inquiry. In reply to the hon. and learned Member for Longford (Mr. T. M. Healy), I have to say that it would, in my opinion, be very difficult in a case of this kind to fix the precise amount of culpability incurred by any one if suspected persons are not to come forward to clear themselves.

MR. T. M. HEALY: Are persons to be punished on mere suspicion?

[No answer was given.]

MOTIONS.

BUSINESS OF THE HOUSE (WEDNESDAYS.)

Motion made, and Question proposed, "That, for the remainder of the Session, Government Business have priority on Wednesdays."—(*Mr. William Henry Smith.*)

(4.15.) MR. LEA (Londonderry, S.): I must protest against the Motion, as it will interfere with the progress of the Intoxicating Liquors (Ireland) Bill, which stands on the Paper for to-morrow. It is a scandal that this measure should not be passed. The original Bill on the subject expired in 1882, and ever since that time legislation has been continued in the Expiring Laws Continuance Bill. The measure before the House this Session is approved by the great majority of the Irish people, and is supported strongly by the most prominent men in Ireland, including the Primate of Ireland, Archbishop Croke, Mr. Davitt, and the President of the Presbyterian Assembly. In view of the difficulty experienced in attempting to pass a Bill of this kind, I am not surprised that there should be a feeling in Ireland that Parliament cannot legislate for that country.

Mr. Raikes

*(4.17.) MR. F. S. POWELL (Wigan): I wish to put in a plea for the first Order now on the Paper for Wednesday—the Public Health Acts Amendment Bill. The Bill is founded upon different local Acts, and the scheme of the Bill has been confirmed by the House in a remarkable manner by the provisions of Local Acts which have been passed during this Session. I trust that it may become law this Session.

(4.18.) MR. J. O'CONNOR: I maintain that the Irish Intoxicating Liquor Bill is not an urgent measure at all. Sunday closing already prevails in Ireland, except in a few towns, and the object of the Bill is to extend Sunday closing to those few towns. The hon. Member for South Londonderry (Mr. Lea) knows very well that it is the intention of the Government, as expressed by their Attorney General, to oppose the Bill, and I have no doubt that the Government, supported by its own majority, and aided by a large proportion of Members on this side of the House, will defeat the measure if it is proceeded with. The result would be that if the Government give way to the hon. Gentleman Wednesday will be wasted.

*(4.20.) MR. BRADLAUGH (Northampton: I think that the right hon. Gentleman, now that he proposes to take the whole time of the House for the rest of the Session, ought to state on what day he intends to take the Indian Council Bill? It has been upon the Paper from week to week, and all I ask now is that the right hon. Gentleman shall fix a day, so that there shall be no manner of doubt hereafter. I do not think that that is an unreasonable request. I also think that the right hon. Gentleman ought to give some explanation why the Government have made no effort whatever this Session to carry the Employers' Liability Bill, which was named in the Queen's Speech.

(4.21.) MR. H. GARDNER: I hope I may be allowed to enter a plea on behalf of the Deceased Wife's Sister Bill. The Bill has been before the country for half a century, and has again and again received the support of the House of Commons. It affects a matter of extreme importance to a large number of people, and I think the Government might very

well afford facilities for carrying the measure.

(4.22.) MR. JORDAN: I think it is very unfair for the Government to shunt the Irish Sunday Closing Bill again. It is nothing short of scandalous for the Government to put off this question from year to year, seeing that opinion in Ireland is overwhelmingly in favour of it.

*(4.23.) MR. W. H. SMITH: I have listened with very great interest to the remarks made by hon. Gentlemen on the Irish Sunday Closing Bill. I fully admit the importance of the question, but I am not able to concur with the hon. Gentleman who opened the Debate in the remark which he made, to the effect that the Government seek to deprive Members who take an interest in the question of the opportunity they have of passing the Bill. There are 72 Amendments already on the Paper, and two Bills at least stand in front for consideration as amended. Therefore, I am afraid it would be only at a late hour to-morrow that hon. Members would have an opportunity of proceeding with this Bill in Committee. The hon. Gentleman must, therefore, see that there would be but little chance of getting this Bill through to-morrow. But, Sir, I am in the recollection of the House when I state that I believe the House itself has expressed, in the ordinary way, its desire that Wednesdays should now be taken for the better winding-up of the Session, and I could not resist that very general expression of feeling. I hope the hon. Gentleman will see that I am not depriving him of any opportunity of pressing forward his Bill, and I trust that yet, in the remaining days of the Session, he may find some opportunity of doing so. With regard to the question of the hon. Member for Northampton (Mr. Bradlaugh,) for my own part I am not able to concur in the view he has expressed. The hon. Gentleman is aware that I am exceedingly anxious that the Indian Council Bill should be considered by the House and passed, but he is also aware that other more urgent business remains to be done. I can only say now that I hope still it will be possible for the House to take that Bill before the end of the Session, and I can assure the hon. Member that he shall have due notice before it comes on. The hon. Member for the Saffron Walden Division of Essex (Mr. H. Gardner) has spoken on behalf of a long-suffering class, who have waited for half a century for the passing of this Bill. I can hardly think that they will suffer very much more if they wait for another year or two, and I am sorry to say that I cannot ask the House to prolong the Session in order to pass that Bill into law. There is one other Bill, referred to by the hon. Member for Wigan, which stands first on the Paper for to-morrow for consideration as amended. Looking to the character of that Bill and of the Public Libraries Bill, and looking to the fact that they are supported on both sides of the House, I hope an opportunity will be found for passing them into law. When measures promoted by private Members have reached the stage these measures have reached, I think the House would desire that time should be found for taking the remaining stages.

*MR. DUFF (Banffshire): I wish to ask the First Lord of the Treasury when he again proposes to take Navy Estimates? I desire to remind the right hon. Gentleman, that during the present Session, only about four hours of one night have been given to Navy Estimates. On that occasion about £8,000,000 were obtained. The Navy Estimates this year amount to £14,500,000, or about one quarter the amount of the expenditure over which the House has any effective control. May I further ask what arrangements it is proposed to make for the further discussion on the Report of the Commission presided over by the noble Marquess the Member for Rossendale. Can it be discussed on the Admiralty Vote?

*MR. W. H. SMITH: The discussion of this Report has already proceeded for some hours. It will be possible to further discuss it upon the Admiralty Vote, which I hope will shortly be taken. But until the Irish Votes are disposed of it is impossible to make any definite arrangement as to other Votes.

Question put, and agreed to.

Ordered, That, for the remainder of the Session, Government business have priority on Wednesdays.—(*Mr. William Henry Smith.*)

CHARITABLE TRUSTS (NO. 3) BILL.

On Motion of Mr. Rathbone, Bill to amend the Law relating to Charitable Trusts, ordered to be brought in by Mr. Rathbone, Sir John Kennaway, Mr. Thomas Ellis, Mr. Cozens Hardy, Mr. Richard Power, Mr. Howorth, and Mr. Bryce.

Bill presented, and read first time. [Bill 380.]

HOP INDUSTRY.

Report from the Select Committee, with Minutes of Evidence, and an Appendix, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 302.]

CONSOLIDATED FUND (No. 2) BILL.

"To apply a Sum out of the Consolidated Fund to the Service of the year ending on the thirty-first day of March one thousand eight hundred and ninety-one," presented, and read the first time: to be read a second time to-morrow.

MESSAGE FROM THE LORDS.

That they have agreed to Inland Revenue Regulation Bill, without any Amendment.

COLONIAL COURTS OF ADMIRALTY BILL [LORDS].—(No. 260.)

Order read, for resuming Adjourned Debate on Question proposed [14th July], "That the Bill be now read a second time."

Question put, and agreed to.

Bill read a second time, and committed for Thursday.

ORDERS OF THE DAY.

SUPPLY—CIVIL SERVICE ESTIMATES, 1890-91.

Considered in Committee.

(In the Committee.)

CLASS III.

Motion made, and Question proposed,

"That a sum, not exceeding £50,571, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1891, for Criminal Prosecutions and other Law Charges in Ireland."

*(4.36) MR. CLANCY (Dublin Co., N.): On this Vote it will not be a matter of surprise to the Committee that many Irish Members have many matters which they consider of great importance to bring under its notice, for I regret to say—although from one point of view it is not a matter for regret—that the exceptional law passed in 1887 to put down agricultural combinations in Ireland continues to be enforced in a manner that shocks all notions of common justice and outrages the general sentiment of the Irish community. I myself have been asked by several of my colleagues to deal with one particular prosecution, with the circumstances of which I happen to be specially acquainted, and I have gladly consented to do so, because I think it is a case which ought to be made known to the House of Commons and to the people of Great Britain as illustrating the monstrous and even ridiculous lengths to which the law of conspiracy as administered by the Chief Secretary's paid and removable Magistrates is carried in the interest of Irish landlords. The case to which I refer is that of Mr. John Kelly, who, for the second time within the last 18 months has been sentenced to, and is now undergoing, a cruel punishment for no act or word that nine out of any 10 men in any part of the civilised world would, for one moment, consider morally wrong, and which, I venture to add, no jury in Great Britain, empanelled as juries usually are in this country, could be got to pronounce unlawful. This, Sir, is a so-called conspiracy case. I have no intention of inflicting on the Committee a disquisition upon the intricate subject of the law of conspiracy, but to make clear the argument I intend to advance I may be allowed to say one or two words on the matter by way of preliminary explanation. In this country there have been times—times of social and political disturbance—when the Judicial Bench have manifested a tendency to widen the area of the law of criminal conspiracy. That tendency in England has almost invariably been checked by the intervention of the Legislature on the side of the so-called disturbers of the peace. For instance, Lord Bramwell and Lord Esher, 20 years ago, in the Trades Union cases, carried the doctrine of conspiracy against combinations of workmen to such an extent that in 1875 an Act was passed over-ruling their decisions, and now it is the law of the

land, so far as Trades Unions are concerned, that no combination to do, or to procure to be done, any act in furtherance of a dispute between employers and workmen shall be indictable if the act complained of would not be punishable as a crime when committed by one person. In our country, too, the same tendency has been observable in times of disturbance, to widen the meshes of the conspiracy net, and even to go beyond the Bramwells and the Eshers, for—and this is an important point, which I do not think any lawyer in this House will venture to contravert—the Judges in Ireland have laid down as law in the case of the "Queen *v.* Parnell," and subsequent cases, what Mr. Justice Stephen declares has never been decided by any English Court, namely, that a combination to break a contract is in itself an indictable offence. But, unfortunately, this Parliament has never been as careful of popular rights in Ireland as it has wisely shown itself of popular rights in England. It has never intervened in our case against the Judges and for the people. On the contrary, by the last Coercion Act, if certain decisions under that Act are right, it has revived and enacted, for the special behoof of agricultural combinations in Ireland, the doctrines of Lord Bramwell which have been expressly set aside in favour of Trades Unions in England. Lord Bramwell laid it down that a combination to restrain freedom of will and action by means which were not criminal, but which a Jury might think merely improper, was itself criminal. That is not now the law for English working men. But in a proclaimed district in Ireland, such a combination—and this is the very combination into which Mr. John Kelly is said to have entered, as I shall show—is still criminal, if those entering into it are agricultural tenants or their friends. Now, this is the first point I desire to press with the utmost emphasis on the Committee. Mr. Kelly, if he were a Trades Unionist or an agent of a Trades Union in England or Scotland, could not even have been indicted, much less punished, for the acts for which, because they were done in Ireland, and in behalf of agricultural tenants, he is now in gaol. He was charged with entering into a conspiracy to restrain the freedom of will and action of the tenants of Mr. Smith-Barry in Tipperary, by means which were criminal in themselves, but which, because his scene of action was the estate of Mr. Smith-Barry, and not the theatre of an English or Scotch strike of workmen, become criminal enough to cause him to be consigned to prison as a common malefactor. If there were nothing more in the case than this one fact, his prosecution and conviction would be a serious matter, for who will contend that it is wise or safe to have it so forcibly brought home to the minds of the people of Tipperary, and the rest of Ireland outside its towns—to the minds, in fact, of the whole agricultural population of Ireland—that they are denied rights of the utmost importance which, for 15 years, have been guaranteed by express provision of the Legislature to their fellow working men in the towns and cities of Great Britain? You have taught too many lessons of that sort to the Irish people already, and the result is the deep-rooted detestation of your rule which fills, and rightly fills, their minds. But the case of Mr. Kelly is worse than I have so far described it. He was charged with two offences. He was charged, first, with entering into a conspiracy to compel or induce the tenants of Mr. Smith-Barry not to pay their rents; and, secondly, with using intimidation towards them to that end. Now, I invite the attention of hon. Members to the all-important fact that the second charge was dismissed on the merits. He was found, as a matter of fact, not to have used intimidation. This fact, I venture to submit, clears the ground considerably. Whatever else Mr. Kelly did on the occasion of his alleged crime, we have it on the unimpeachable authority—unimpeachable, at least, on this subject—of two Resident Magistrates that he was not guilty of at least the crime of intimidation, which always evokes so readily the indignant eloquence of the Chief Secretary. But what about the charge of conspiracy of which he was convicted? How was that accusation sustained? I have read every word of the depositions taken before the Magistrates, and can give a copy of those depositions to any one in this House who desires to read them, and, therefore, what I am about to say now is not hearsay, or derived from those

objects of the Chief Secretary's constant vituperation, the Irish newspapers. The only acts of his own, proved against Mr. Kelly, were that he went on an outside car through the Smith-Barry estate; that he entered, in company with one or two other persons, the houses of some of the tenants; that he partook of the hospitality of one of the tenants; and that at the house of another tenant he took part in conversation, which is reported as follows by a police spy who was concealed behind a hedge:—

"Mrs. Maher (wife of the tenant): There is the real campaign ground above.

Mr. Michael O'Dwyer: That is the woman to fight.

Mr. John Kelly: I find that the women are a great deal more determined for us than the men."

This is absolutely all. Not another word or act of his own was proved against Mr. Kelly. Well, in all this, taken by itself, there is manifestly nothing wrong, either legally or morally. The Removables could spell nothing out of it to his detriment. Not even the inventive genius of Lord Bramwell himself—so inventive of bogus conspiracies—could discover in it any evidence of legal guilt. It is not, yet at least, a crime to go on an outside car through a proclaimed district of Ireland, or to visit the houses of the tenantry in such a district or to accept their humble hospitality, or to pay a compliment, in a spirit of gallantry, to a peasant's wife; and, therefore, it was that the Removables acquitted Mr. Kelly of having used intimidation. But—and here now is the second great point in this case—the elastic law of conspiracy in an ultra-Bramwell fashion intervened to bag the Chief Secretary's game when all other expedients had failed, and when Mr. Kelly could not be convicted for his own acts alone. If Mr. Kelly himself did nothing illegal, somebody else did something in the same district which might be construed into illegality, and that was enough. On the 2nd December last a Mr. O'Dwyer, who was tried with Mr. Kelly on the charge of conspiracy and intimidation, delivered a speech in Cashel, of a character alleged to be illegal. Mr. Kelly was not present when he delivered it. He was not even in the district before or at the time O'Dwyer spoke, nor for a month afterwards. He did not know of the existence of such a man as O'Dwyer for four weeks afterwards. It will hardly be believed, but it is nevertheless true, that this speech of Mr. O'Dwyer, spoken in Mr. Kelly's absence and without his knowledge, was given in evidence against Mr. Kelly, and it was held that the harmless words Mr. Kelly spoke to Mr. Maher, and which I have already quoted, connected him with that speech, and made him responsible for it. It was held that when he said "the women are more determined for us than the men," he meant by the word "us" O'Dwyer and himself, and that in making this alleged reference to O'Dwyer he identified himself with everything that O'Dwyer had said and done on previous occasions when Mr. Kelly had not even known or heard of O'Dwyer. Moreover, Mr. William O'Brien, the Member for North-East Cork, also delivered a speech in the Cashel District, in June of last year. It was alleged to be of an illegal character. It is more than doubtful whether it was illegal. The Government themselves were so doubtful on the point that they suddenly dropped a prosecution, which they initiated in respect of it. But however that may be, that speech, too, delivered in Mr. Kelly's absence, delivered in Cashel six months before Mr. Kelly had even set foot in that place, delivered without any previous conference with Mr. Kelly—for Mr. Kelly was actually in gaol when it was delivered—was given in evidence against Mr. Kelly, and again his words to Mr. Maher—his use of the simple pronoun "us"—were held to connect him with it, and to make him responsible for it. And on the strength of those two speeches, not spoken by himself, or in his presence, or with his consent, Mr. Kelly was convicted of conspiracy, and sentenced to four months' imprisonment with hard labour—a sentence more severe than that often inflicted on men guilty of base and brutal crime. I ask every candid man who listens to me, whether he sits on that side of the House or on this, whether this use of the law of conspiracy, be it legally justifiable or not, is not, from the point of view of simple justice, utterly monstrous and even ridiculous? Could such a prosecution and conviction have taken place in England? But there is another point. In England, or in Scotland, as I have already shown,

Mr. Kelly could not even have been indicted if he had acted in the course of a Trades Union dispute the part he acted in Tipperary. I may now remind the Committee, in addition, that if he were indicted in this country for acting such a part in the course of any other dispute he should be tried by a Jury, and I state only what everyone knows when I say that in past times of crisis in England Juries have often refused, especially in conspiracy cases, to follow the rulings of Judges, and have thereby laid the very foundations of much of the liberty which Englishmen now enjoy. But in Ireland, for the first time in the history of the law of conspiracy, the question of fact involved is decided by the same tribunal as decides the question of law, and by the Coercion Act now in force Mr. Kelly, and all other men accused of conspiracies such as that now under discussion, are deprived of the protection of Juries, and are tried by two paid and removable agents of the very authority which prefers the charge, and which is vitally interested in getting a conviction. Even if the Magistrates in question were as immaculate as any Magistrates who ever lived—and I am not now alleging against them, or imputing to them, any personal dishonesty whatever, for I am not discussing, in fact, their action at all, but the action of the prosecutors in the case—I say that the substitution of this new tribunal for the old-established tribunal of a Jury in such a case and under such circumstances is well calculated to aggravate the public discontent which under all circumstances accompanies the administration of the present Coercion Act. I have seen the section of the Coercion Act which abolished Juries in certain cases, described as effecting only a change of procedure. A change of procedure, forsooth! A fundamental change in the Constitution in the Russian or Turkish direction, if frankly, openly, and formally made, would be far less objectionable. I think I know what the Chief Secretary will say in defence of the prosecution of Mr. Kelly. I guess it from what he has said before in reference to that gentleman. He will say, in the first place, that he was an agent of the promoters of the Plan of Campaign. To this allegation I reply that it is a self-evident absurdity, seeing that the Plan of Campaign does not exist and has never existed, or been promoted on the Smith-Barry Estate in Tipperary. But if it be true, then it ought to have been proved at the trial of Mr. Kelly, and it has never been proved. I contend, moreover, that the movement on the Smith-Barry Estate in Tipperary, whatever else it may be, has never been proved to be illegal in any way. But if it be illegal, then I say, again, the fact ought to be proved before anyone is accused or convicted of taking part in it. This was the course pursued when it was sought to make men responsible for taking part in the Plan of Campaign. The speeches of my hon. Friends the Members for East Mayo and North-East Cork on the subject of the Plan of Campaign were specially reported, and judicial pronouncements were had upon them; and then only it was that criminal proceedings were instituted against individuals for taking part in the Plan of Campaign. In this case no such course has been adopted, and, consequently, I deny the right of the Chief Secretary to say that Mr. Kelly was necessarily guilty of crime in joining the movement in Tipperary, even if it be proved, which was not proved, that he did join that movement. The Chief Secretary will, doubtless, say, in the second place, that Mr. Kelly is a bad character, that he has been in gaol before under his Coercion Act, that he was in gaol also in the Land League times, and that he has been engaged in infamous work, as he said last year in a speech in Scotland a few days before Mr. Kelly's appeal was to come on before the County Court Judge of Donegal when a sense of decency ought to have prevented him from saying anything at all on the subject. In reply, I say it is perfectly true that this is the fourth time that Mr. Kelly has been sent to gaol, and that three-fourths of the Irish people, knowing the character of his alleged crimes, honour and admire him for his courage and devotion. I have the pleasure of his acquaintance myself, and I should be ashamed of myself if, on this occasion, I did not say that I know him to be an honest, a courageous, and a self-sacrificing man, and that there is in him more moral worth and grit, and a higher appreciation of the duty one owes to his country, than in the whole gang of his persecutors, including some Ministers of the Crown. He has

been in gaol before; so have been all the best men in Ireland; and whether Mr. Kelly has been imprisoned by the present Government, or by a Liberal Government, his imprisonment has been equally an outrage on justice. He has been engaged in infamous work, said the right hon. Gentleman last year. Right and wrong have been so confused by the administration of the Coercion Act that possibly the right hon. Gentleman himself is by this time unable to distinguish the one from the other. But, be that as it may, I may tell the Committee that the work of Mr. Kelly for the last three years—the work for which he has thrown up a prosperous commercial career, for doing which he has gone absolutely without any remuneration, except his expenses out of pocket, for doing which he has been shadowed and otherwise persecuted every day of his life—is providing shelter for and looking after the wants of the evicted tenants of Ireland in those districts where the policy of the right hon. Gentleman has found its bitterest expression in the extermination schemes of various landlord conspiracies. That has been Mr. Kelly's work, and that is work of which he need not be ashamed, and for which I hope the Irish people, at least, will see that he is suitably rewarded. The Chief Secretary will perhaps say, finally, that at any rate the decision of the Magistrates has been confirmed by a Division of the High Court in Dublin, and that, therefore, the prosecution has been vindicated by the highest legal authority. The answer is easy. The Court in Dublin affirmed the conviction of the Magistrates, but it did not express any approval of that conviction. The distinction is well known to lawyers. In deciding on a case stated, or on a motion for *habeas corpus*, the province of the Judge is simply to say whether there is any evidence at all from which a man might infer the guilt of the accused; he is not called upon, and he is not empowered, to say that if there be any evidence it is such evidence as would warrant a conviction. In this case the High Court merely decided that the speeches of Mr. O'Brien and Mr. O'Dwyer, to which I have referred at length, might be admitted in evidence, and so the action of the Government in bringing and persevering with the prosecution stands absolutely without approval by any other authority competent to pronounce on the subject. Mr. Courtney, under all the circumstances, I, for one, have no hesitation in saying that that action of the Government is a stain on the administration of the law and a gross abuse of the forms of justice.

(5.10.) MR. W. A. MACDONALD (Queen's Co., Ossory): The right hon. Gentleman the Member for Mid Lothian last year made a speech in the country in which he spoke plainly of the jury packing carried on by the present Government, and he said that the Attorney General had been rewarded for it. The Chief Secretary subsequently stated that that was a cruel charge. When the right hon. Gentleman the Member for Newcastle, in his speech during the Debate on the Address, expressed surprise that this question of jury packing at Maryborough had not been dealt with, the Chief Secretary denied absolutely that any such thing had taken place. Now I have some claim to speak on this subject. I was present at Maryborough during the whole of these trials. I observed everything that was done, and I am in a position to state that most shameless jury packing was practised by the Authorities of the Crown. I wish to say a few words on the circumstances which led up to these trials. Everybody, I think, knows how it was that District Inspector Martin came by his death. Everybody knows that a warrant was out against Father M'Fadden on a charge of conspiracy because he had recommended some tenants in the locality to join the Plan of Campaign, that for a time the rev. Father "evaded" the police, that ultimately it was attempted to arrest him immediately after Mass with but a small force, that District Inspector Martin drew his sword and raised it above the head of Father M'Fadden, that there was at once a cry raised in the crowd that the Inspector was killing or striking the priest with a sword, that great excitement immediately arose, that the people rushed wildly forward, that one man struck the officer with a stick and killed him, that stones were thrown, and that Father M'Fadden himself was struck on the lips with one missile. This was the nature of the crime which was committed. What action did the Government take

in the matter? The first thing was an inquiry before the Coroner of the district. At that inquiry no facts were adduced bringing guilt home to any particular individual. The policemen told their story simply, and the Jury decided that the death of the Inspector was caused by some person or persons unknown. But immediately after that, an outcry for blood was raised by the Tory Press of the North of Ireland, and the Government, it would seem, could not afford to disregard the opinion of their supporters in that part of the country. Consequently, a reign of terror was established in the entire district. At the trial of Coll, who is now undergoing 10 years' penal servitude, the Head Constable swore that he had visited altogether 300 or 400 houses, that he went to Coll's cabin three times in February, three times in March, and once in April, that in June he was there in broad daylight when Coll returned home, and yet, even then, he did not arrest him. That Head Constable Mahony (he was only a sergeant at the time, but he has since been promoted) was the officer who issued passes to the people, and the whole country was at the time in a state of terror through the action of the police. The Crown actually preferred a charge of murder against 22 persons, including Father M'Fadden; and the Resident Magistrates, doing no doubt what they thought would be agreeable to their superiors, and carrying out the wishes of the Crown Solicitor for Donegal, who conducted the prosecution, sent every one of the accused forward for trial on the capital charge. It will not do for the Attorney General for Ireland to get up and tell us that these persons were technically guilty of murder, for I heard the law on the point expounded by Mr. Justice Gibson at Maryborough to the Grand Jury, and the learned Judge distinctly laid it down that any person who on that occasion took an active part in these illegal proceedings, any person who threw a stone or used a stick, would be technically guilty of wilful murder. But it was not contended throughout the whole of the proceedings that Father M'Fadden and many of the others took any part in the proceedings or committed any act of violence. Surely, then, it was a most improper course to send all these persons for trial on the capital charge. A week or two ago there was a case being heard before a Magistrate in a Court close by here, and in which a medical practitioner and an officer were charged with being concerned in the death of an unfortunate lady. In the case of the officer the Magistrate, while saying that there was some doubt in reference to his case, acted on the sound principle of English law that a man was to be held innocent until he was proved to be guilty, and refused to commit him for trial, although he did take the course against the other accused person, in regard to whom the evidence was stronger. But if this had happened in Ireland, and if the subject of the inquiry had been the death of some officer of the law, if it had been possible to give to the case some political or sectarian complexion, every one accused would have been sent for trial, whatever the value of the evidence, upon the capital charge. But what was done by the Resident Magistrates in this case was too much even for the Attorney General for Ireland, and accordingly at Maryborough he discriminated between the prisoners and had Father M'Fadden and 10 other accused persons indicted on a minor charge. Then, Sir, came the action of the Attorney General of which I most strongly complain, and that was the change of venue for the trial. The Committee will observe that these accused persons were brought from a remote corner of Donegal to the centre of Ireland for the trial. They were not tried before a jury of their peers, but they were tried before a Special Jury in Queen's County, the majority of whom were of a different religion. It would have been impossible for anyone not to share the feeling I heard expressed by the Judge with regard to Coll, that one could not but feel a certain amount of pity for this poor Donegal peasant, brought far from his home to be tried amongst strangers, and in a language which he but imperfectly understood. Surely, under such circumstances, the Government need not have also resorted to the expedient of packing the Jury. But what was done? Why, Sir, at the trial of Coll, the first of these prisoners, no less than 42 Catholic Jurors of Queen's County were ordered to stand aside, and not a single Catholic was put on the Jury. As far as could be judged from the demeanour of the Jurymen who were allowed to remain in

the box, they entered it with a determination to listen to nothing in favour of the accused. I am credibly informed that they took no notes whatever; and it is currently reported that at the close of the trial 10 of the 12 were in favour of convicting on the capital charge, while the other two favoured a verdict of guilty of manslaughter. Can any thing be said in justification of this action of the Crown? Would it not have been sufficient to try these persons before a Special Jury without weeding out all the Catholics, so as to retain on the Jury men who were the most bigoted political opponents of, and who had no sympathy whatever for, these persons? How unequal are the relative powers of the Crown and of the prisoner in regard to challenging Jurors. The prisoner can only challenge 20 peremptorily; the Crown, on the other hand, considering the length of the panel, has virtually unlimited right of challenge. The panel on that occasion contained the names of 217 jurors, and out of these the Crown ordered no fewer than 42 to stand by before an exclusively Protestant jury was secured. Since the trial a Petition has been presented to the Crown praying for Coll's release, and the answer returned has been, in spite of the circumstances I have narrated, that the law must take its course. When we consider the circumstances under which these men were tried, when we remember how terribly they were handicapped, and how terrible were the odds against them, surely it is a cruel act on the part of the Executive to retain this man in prison any longer. The evidence against him consisted entirely of police evidence. There were six policemen present on the occasion, and four of those were unable to identify Coll. The case for the Crown, in fact, virtually depended on the evidence of one constable only. That man swore that when he saw his officer in danger he ran for his life, that when he came back he saw Martin on the ground, and that in a few moments he witnessed sufficient to enable him to identify 15 persons as having thrown stones. That seems an extraordinary story. He was asked how he managed, in a moment of panic and terrible excitement, to identify all these prisoners? He replied that the more his temper rose the more his powers of observation increased.

Mr. W. A. Macdonald

The Judge told us about a man who had extraordinary powers of memory when leading a forlorn hope. But I venture to think that no English jury would have convicted this man upon the evidence of the policeman who gave such an account of the proceedings. The next case which came on was that of John Borrogher. The jury empannelled had upon it a sort of stock Catholic—a Castle Catholic—a man with no sympathy for the great mass of the people. There were some intelligent and enlightened Protestants on that jury, and they disagreed in the case of Borrogher, who is now a free man. The evidence was practically the same as the evidence given in the previous case. In the first the jury gave a verdict of manslaughter, and the prisoner was sentenced to penal servitude. I ought to mention that in the case of Hall an *alibi* was proved by three men who, without any stretch of imagination, would be called Government servants — a sergeant of militia, a schoolmaster, and a telegraph clerk. All these witnesses swore to seeing Hall in a position where he was doing nothing; yet the jury were told that the story these three respectable men told was a strange and improbable one. The incident did not end there. Special jurors of Queen's County have been accustomed to this sort of thing for a very long time. They have been dragged away from their homes again and again simply to be mocked and told by the Crown Solicitor to "stand by." They determined to stand it no longer. Three of them strongly protested. On the first day the Judge confined himself to ordering one of them to be taken out of Court. On the second day, in Borrogher's case, he fined each of the special jurors who protested £20. That did not deter the special jurors, who felt they had been outraged and subjected to a cruel injustice, and that it was an insult to be told that they could not be believed, for that was what this wholesale exclusion virtually meant. They resolved to respectfully raise similar protests should opportunities arise. An opportunity did arise, but the Crown had learnt wisdom. One unfortunate man who had been tried twice, the juries disagreeing, was sent to Maryborough to be tried a third time. They packed the jury, and the jury again disagreed. The man was put on

trial a fourth time, and once more the jury disagreed. And it was actually intended to try him a fifth time, when a letter appeared in the *Freeman's Journal*, and that letter attracted the attention of a London editor, an article, too, was written in the *Freeman's Journal*. The fifth trial of the man was abandoned, and he was allowed to leave the country. How long is this sort of thing to go on? Are the Catholics of Queen's County to be summoned these long distances only to be told they are not wanted? Will the Attorney General say that for the future juries to be empannelled in Ireland shall be honest juries? Will he say that in cases of this sort the question of religion shall not be dragged in? Will he see that men are taken for juries because of their good character and irrespective of their faith? I see the statement that the next Assizes are to be at Maryborough, and I warn the Attorney General that if this is repeated a spirit will be awakened which will certainly find expression. The men of Queen's County have been outraged too long to endure this sort of thing, and it will not help the Government nor the Conservative Party in the constituencies if such incidents are reported to them, and if they read in the newspapers that Catholics are ordered to stand by indiscriminately, and that there is no fair trial nor justice for unfortunate prisoners.

*(5.40.) MR. H. J. WILSON (York, W.R., Holmfirth): Sir, I desire to occupy a short time in reference to the trials just spoken of by my hon. Friend. I think they raise important questions which truly deserve consideration. The trials at Maryborough had their origin in the unfortunate death of District Inspector Martin, on the 3rd February. Mr. Justice Gibson said that the attempted arrest of Father M'Fadden was highly imprudent, and that, having regard to the feelings of an excited peasantry, it should have been done with the aid of a commanding force of police. There was a large body of police some 200 or 300 yards from the place, yet some few officers were allowed to provoke a disturbance, with the result that the unfortunate District Inspector Martin lost his life. We have already heard that for nine months the prisoners were kept in Derry Gaol, and then these wretched peasants were taken away to Maryborough, a distance of some 200 or 300 miles, and involving to the 150 witnesses summoned in their behalf, a two days' journey at great expense. What I want to do is to lay special stress on the system of jury packing as I saw it carried out at Maryborough on the occasion in question. I do not think English Members fully understand what it means. I do not think anyone save he who has actually witnessed it can appreciate what is really done. There were 217 of these special Jurors on the panel or list—that is to say, every man in the county who is rated at £50, or in certain parts at £100. What took place? The Crown Solicitor sitting with this list—carefully marked, as I saw from where I sat—when a man's name was called, said "stand by" in instances where he was not satisfied with reference to his religion on politics. I am almost ashamed in this Committee to refer to the question of religion as entering into consideration at all. Of 42 objected to, 40 were Catholics and two Protestants, who were suspected of Nationalist sympathies. As a result of the process, 12 Protestants were got into the Jury box. I want to refer to the method by which they were got there. The Jurors were called one by one; and after several had been objected to, this sort of thing took place. A Mr. Delany was ordered to "stand by" by the Crown Solicitor. He asked, "Why am I told to stand by?" The Judge said—

"I cannot answer that question, nor can you ask it. The Crown has got the right and so as the prisoner to object to a juror."

The Judge told Mr. Delany to retire and not to interrupt. Mr. Delany said he was present to do his duty, and the Judge said he must retire. Ultimately, the Judge said—

"Policeman, show this gentleman out. I am reluctant to do anything which might appear harsh to a gentleman of respectability on the jury panel, but it is right it should be understood that a prisoner is entitled to 50 challenges by law'—'The McDermott: 50 my Lord?—20' The Judge: '20, I beg your pardon."

The controversy between the Judge and Mr. Delany was continued for some time, Mr. Delany saying—

"I do not want to be disrespectful, but I will say that the juries of Queen's County always did their duty until counsel for the

Crown or other officials came here to cast a slur upon them."

Well, this sort of thing went on until there were no fewer than 28 jurors all in a batch who were ordered to stand by. Then, there was another protest. This poor Donegal peasant said he would like to know if there was a single Catholic on the jury, but the Judge, as a matter of course, would not allow that question to be answered; and when the jury had been constituted, and those who had been ordered to stand by were about to leave the Court, or appeared to be about to do so, Mr. McDermott asked that they might not be allowed to leave, as it was not unlikely that they might be wanted on another occasion, as there were other prisoners to be tried. He also alluded to them as Catholic jurors, whereupon the Judge told him that he must not refer to the matter of religion, remarking—

"It is very undesirable, Mr. McDermott, for all interests concerned, to introduce any reference to religion in Court."

I am now going to give the Committee some of my own personal testimony. While all this was going on I was occupying a seat in the gallery, and sitting next to me was an Irish gentleman, a Magistrate, living in the county, who had been summoned as a juror. He was exceedingly kind in the communications he made to me, sitting there as a stranger, and what he said impressed me very much, because the Judge, in his summing up at the end of the case, said to the jury—

"Our law knows no distinction of creed, or class, or race."

This is a very estimable sentiment, no doubt; but the kindly Magistrate and juryman who sat beside me said as the jurors were being told to stand aside, "I know them all," and as each was called he would say in one case "that man is so and so; they will challenge him, as he is a Catholic; he will not be allowed on the jury." When that man had been challenged he would say, as another was called, "He is a Protestant; he is all right, and will be taken on." That gentleman was right in every case. When the jury had been completed he said, "Every one of them is a Protestant, and their fathers were all Scotchmen." Now, I ask the Committee, What does this in reality mean? Does it mean that no distinction is made in creed, class, or race, or does it mean that trial by jury in Ireland is converted into a perfect farce and scandal. Everybody knew, like my friend in the gallery, that all the Protestant jurors would be accepted, and all Catholics rejected, and yet the rejected men were substantial and respectable individuals; seven of them were farmers occupying large farms; one a gentleman farmer, and one a merchant and Justice of the Peace, while three others were described as gentlemen. This sort of thing seems to me to cast contempt upon the whole business. It seemed to me that these proceedings threw a slur on the whole procedure of trial by Jury in Ireland, and that as a friend, and able lawyer, who was once a Member of this House—the late Mr. Charles Crompton—said, in a published letter in reference to this system, the whole thing was a complete farce. When the Jury was constituted counsel for the defence applied that the Jury should be allowed to view the spot where the circumstances connected with the trial had taken place. He said the nature of the place was such that much of the evidence would hardly be properly understood unless the Jury did see the spot. This application was, however, not complied with, and for my part I do not hesitate to say that, having visited the spot, both before and after the trials, it was absolutely necessary that the Jury should have seen it in order thoroughly to understand the case. I confess that I did not understand some of the evidence, and could not attach that weight to it which it deserved, although I had previously seen the place, until I had again visited it, and I think it might have materially affected the view taken by the Jury had they been enabled to view the scene. Of course, the removal of the prisoners for so great a distance to be tried threw an additional difficulty in the way and afforded an additional means of tightening the cord round the neck of that wretched man William Coll. I may say that nothing I have ever before witnessed before a Judge sitting in Court could be compared for one moment with the manner, the language, and the insolent bearing of the then Attorney General (now Chief Justice O'Brien) who conducted the prosecution. His air of easy indifference and buffoonery was simply and utterly disgusting, and the

way in which he pleaded against the prisoners was marked with desperate energy. I am glad the present Attorney General for Ireland is here to listen to what I am saying, as I am sure from what we have seen of his demeanour in this House it would never be thought that he could be guilty of such conduct. Those who are acquainted with the duties of a criminal lawyer, far better than I, assure me that it is no part of the duty of the prosecuting counsel in a case of murder to do more than put the facts fairly before the Jury; that he has no right to plead with desperate energy for the hanging of a prisoner, as the then Attorney General for Ireland did. At the first day of the trial the accommodation in the small Court House was very scanty, and the Sheriff gave tickets of admission, as it was necessary to reserve seats for the 217 Jurors who were summoned there. On the second day, almost all the Jurymen were allowed to go to their homes, but still the police excluded the public from the Court. They even used force to prevent the entrance of Mr. O'Doherty—until recently a Member of this House—who was the solicitor for the defence. Others, including the hon. Member for Darlington and myself, were refused entrance, and it was not until the Judge had given the police very peremptory orders on the subject, after they had disregarded his first orders, that the police were allowed to exercise their right of entrance. The action of the police showed that they set the Judge even at defiance. A very significant thing occurred on the fourth day. The Attorney General refused, on purely technical grounds, to produce a Report which one of the constables, who was called as a witness, had made with reference to the death of Martin and the arrest of Father M'Fadden. It was said that the Report was only made as a matter of police discipline; and although it was believed that the document was totally different to the evidence given by the constable at the trial, it was withheld from the Jury. The Attorney General for Ireland considered it to be his duty to try and get the accused hanged, actually withholding evidence at the trial which appeared absolutely essential to the defence. Here, again, I complain of the method in which Crown prosecutions are conducted in Ireland, prisoners not being allowed the benefit of any discrepancy there may be between the different statements of a witness. The Judge's feelings evidently was that the Report ought to have been produced. The evidence throughout the case showed that the Attorney General and those associated with him were anxious not to get at the truth, but to get a man hanged if possible. I do not think I need go further into these details, but I can confirm the hon. Member who has already spoken as to the extremely unsatisfactory character of the evidence for the prosecution, and it is difficult to understand how the Judge came to point out to the jury that almost everything which fell from the police was capable of explanation, whereas he enlarged on every discrepancy which could be made to tell against the credibility of the witnesses for the defence. When the second trial occurred, we had the same state of things over again, with the exception that one Catholic Juror was allowed to go into the box—a boycotted landlord. The protests of indignant Jurymen were renewed, who complained not only of the indignities cast upon themselves and their religion, but against being brought there twice a year from remote parts of the county, and being compelled, under a penalty, to remain there when they knew perfectly well their attendance was absolutely useless and their time absolutely thrown away. Notwithstanding the careful way in which it was selected, the Jury disagreed, and then came a curious breakdown of the proceedings, the other prisoners being ultimately induced to plead guilty, doubtless in the hope of getting light punishments. Instead of that, the sentences were monstrous. It was curious to notice the light in which the prosecution and the Legal Authorities regarded the people they were treating as criminals. Father M'Fadden had been brought there to take his trial, and yet, when bail was wanted for the appearance of another of the accused, that rev. gentleman's assurance that the man would come up when wanted was accepted by the Court. How can it be contended after this that there is no difference between political crime and ordinary crime in Ireland? And now with regard to the case of William Coll, I have here a copy of a Memorial addressed to the Lord Lieutenant asking that the clemency of the Crown may be extended to the prisoner.

THE CHAIRMAN: This is a matter that goes beyond the Vote, which only has reference to the conduct of prosecutions. Remarks with reference to the Judge, as also the hon. Member's present observations, are quite inadmissible.

*MR. H. J. WILSON: If you say I cannot refer to that of course I will not do so. I simply wish to say, in conclusion, that to me it is marvellous how anybody on the opposite Benches or anywhere else can hope that law and order will be respected or observed in Ireland when such a state of things as I have described as having occurred at Maryborough are permitted to exist in Irish Assize Courts.

(6.10.) MR. DILLON (Mayo, E.): I confess that, as an Irishman who has from his youth upwards been familiar with the process of law which has been described by the hon. Member who has just sat down, I rejoice that Englishmen nowadays go over to Ireland and acquaint themselves by observation with the details which have made the administration of the law hateful to the people of that country. We have heard with a repetition almost nauseating the old stock statements about the preservation of law and order. Why, the first step necessary to the preservation of law and order in Ireland is to do away with the system the hon. Member who spoke last has described. No amount of increasing the stringency of the law will be of any use until you do away with the entire system which Englishmen are now beginning to understand in all its hideous details. It shocks everyone who goes over from this country to inquire into it, whether Liberal or Liberal Unionist, and I say that as long as it exists it will make the Criminal Law odious to the people of Ireland, because they know that the very last place in which they can seek or hope for justice is a Criminal Court. We have had a specimen of the impression that that system makes upon an Englishman who is accustomed to the procedure in this country, but we are so familiar with the system that we feel somewhat surprised to see Englishmen so much shocked. We never expect anything else. Irishmen have never looked to the Irish Attorney General for honesty in the administration of the law. It has been a matter of absolute astonishment and wonder that men, who in their ordinary relations of life are honest, seem, when they go into a Criminal Court, to forget what honour is, and resort to the basest and most dishonourable means in order to sacrifice the lives of their fellow-men. Every one knows that the late Attorney General for Ireland deliberately suppressed evidence that was in his hands, and wrote across his brief copy "Not to be used," because he knew that if it had been used it would have saved the life of an innocent man who was murdered. Such a thing as that is no crime in the eyes of the Government officials, who recognise nothing as dishonest when their desire is to obtain a conviction. We have just listened to one of the most remarkable and convincing speeches ever delivered in the British House of Commons, on the system of Jury packing in Ireland, which is such a fundamental portion of the administration of the law in that country, and which has been so unblushingly denied by Government after Government. Anyone of ordinary candour of mind listening to the hon. Member must have been convinced of the scandalous and outrageous character of that system. But, Sir, I rose for the purpose of urging on the Irish Attorney General that he should now stand up and give some answer to the two grave charges that have been brought forward, namely, the case of Mr. Kelly, and the matter of Jury packing at Maryborough. I will not go into all the charges made by the hon. Member who opened this discussion, but I will lay before the Committee the points in the indictment that appear to me to be the most important and to urgently require an answer. My hon. Friend (Mr. Clancy) clearly showed that in the case of John Kelly the Crown had entered into a prosecution against a man who had been guilty of no criminal word or act. The Attorney General for Ireland, I think, will not be able to deny that. When you, Sir, interrupted my hon. Friend at the beginning of his speech, he was pointing out what is a notorious fact to all acquainted with the administration of the Criminal Law in Ireland—that there is a very great difference between the administration of the law in Ireland and in this country, because all these prosecutions are part of the policy of the Irish Law Officers, acting, I suppose, under the authority of the right hon. Gentleman

the Chief Secretary. In Ireland every prosecution comes into the hands of the salaried prosecutors of the Crown. If a prosecution be an important one, dealing with politics, the Attorney General is always consulted; and what we complain of in the case of John Kelly is, that the Crown Prosecutors, salaried out of the Public Treasury, and directly responsible to the Attorney General in Ireland, acted in the prosecution and obtained a conviction by the force of their great influence. They acted as the representatives of the Government with the facts of the case before them, and knowing that they were engaged in an attempt to extend the law of conspiracy in a way which, if it were attempted in England, would turn the country upside down. Supposing it were possible in this country under the Common Law to give such a scope to the law of conspiracy, as has been given in Ireland in the case of John Kelly, I have no hesitation in saying that in a couple of days England would be turned topsy-turvey, and the majority in the House of Commons who assented to it would be turned out of power. In the case of John Kelly there were only two items of evidence, and, presumably, they were before the Crown in the information on which they based their prosecution. One of these was that John Kelly drove round the disturbed district in an outside car, and went into the houses of certain people. This was given in evidence, and Mr. Kelly very naturally asked, "Is that a crime?" The next thing proved was that a policeman, hiding himself behind a hedge outside one of the houses in which John Kelly was, listened to a conversation which took place between him and the woman of the house, and heard him say as he came out, in reply to a statement by a Mr. O'Dwyer, that "this is a woman to fight." "I find the women more earnest for us than the men." That was all the evidence against John Kelly—all that it was attempted to prove. The charge of intimidation and conspiracy were made against him on this evidence. The first of these charges was dismissed, so that we have only to do with the charge of conspiracy; and although that which I have described was all the evidence forthcoming on this charge, Mr. Kelly was convicted, and is to-day undergoing a sentence of four months' imprisonment with hard labour. He is suffering that imprisonment, not directly through the action of the Magistrates, but indirectly through the action of the right hon. Gentleman opposite. What is the doctrine by the Executive—what is the scope and application of the law of conspiracy they sought to affirm by this prosecution against Mr. Kelly? On that day he was in the company of a certain Mr. O'Dwyer, a farmer of the district, now also in gaol. Mr. O'Dwyer had delivered a speech in the district some three or four weeks before Mr. Kelly came there. It was shown that Mr. Kelly had not known Mr. O'Dwyer until three weeks after that speech was delivered, and yet the speech was put in evidence against him and accepted as such. Then, for fear that should not be enough, a speech was put in which had been delivered six months before by the hon. Member for North-East Cork (Mr. W. O'Brien) in a part of the district 15 miles away, and it was concluded that the word "us" used by Mr. John Kelly, and overheard by the policeman, covered Mr. O'Dwyer and the hon. Member for North-East Cork who had made these speeches. This was the evidence on which Mr. Kelly was convicted of conspiracy and imprisoned—and not only that, but upon which he was condemned to hard labour, which I consider to be a most monstrous outrage. You have there an example of the lengths to which this law of conspiracy can be carried. Now, mark this fact. Here is this man John Kelly, denounced by the Government in this House as a bad character, a boycotter, and an agent of crime—the worst charge the right hon. Gentleman could bring against him, I suppose—after all the spying that has been going on in the district charged with intimidation. The case breaks down—it is dismissed on its merits. With all their servile agents they are unable to prove the case. The right hon. Gentleman the Chief Secretary denounces people in this House because he requires no evidence, but in Court it is necessary that he should, at any rate, have a shred of decency. It is only a wretched fig leaf that does for decency, I admit, but even the dilapidated fig leaf in this case breaks down. So that the right hon. Gentle

man had better be a little more careful in the future, before hurling charges of intimidation against the Irish people in the matter of these conspiracy cases. The right hon. Gentleman may talk about intimidation at large, and may appeal to his friends and the country in regard to it, but here is a case as to which we give him the facts. Let him deny them, if he can, and defend the Government for giving so ruinous and outrageous a scope to the doctrine of conspiracy which is absolutely destructive of civil liberty—which leaves the liberty of the people absolutely at the mercy of the Government of the country. If this principle, attempted to be established in the case of John Kelly, were admitted, no two men could confederate together for any object which the Executive Government thought to be objectionable, without being drawn into the net of criminal conspiracy, and being sent to imprisonment. It would be absolutely impossible for two or more individuals to combine together for any purpose. I demand from the Government an explanation of this case. I also demand to know why no attempt has been made to prove the combination on the Smith-Barry estate to be illegal. The hon. Member for North Dublin asserted, and asserted with truth, that the combination on the Smith-Barry estate is not legal even under the Crimes Act. When I and my friends were put on our trial for joining the Plan of Campaign, what course was pursued by the Government? They sought to establish, and did establish to the satisfaction of the Judge—though not of the Jury—a thread of communication between myself and my hon. Friends at Woodford, and other places where there was resistance to the police. The doctrine of the Plan of Campaign, published in the paper of my hon. Friend the Member for North-East Cork, was put in evidence, and before the Government attempted to remit cases to the Magistrates' Courts they obtained from two Judges in Dublin a solemn judgment that the Plan of Campaign, as proved in that Court, was an illegal conspiracy. They proceeded against us, sought to connect us with the Plan of Campaign, and then they referred the case to a Judge of the Supreme Court. Nothing of the kind has been attempted in the Smith-Barry case. The entire methods are different. The people left their houses of their own free will. When the Sheriff's Officer came round he found the houses clear of furniture and no resistance offered. I contend that the combination is legal. Where is the offence of leaving a house, hiring some land in the neighbourhood, and going into another house? That is all the Smith-Barry tenants have done. It rests with the Government to prove that the combination on the Smith-Barry estate is an illegal combination, and, until they do so, they have no right to prosecute for criminal conspiracy any man at a Magistrate's Court, before men who are admitted to be grossly ignorant of the law. The three great grounds on which we quarrel with the prosecution of Mr. John Kelly are, that no attempt was made to prove against Mr. Kelly any offence against the law, in word or deed; that the prosecution involved a monstrous, and hitherto unknown, extension of the doctrine of criminal conspiracy, and that the Crown, in conducting the prosecution, deliberately assumed that the combination on the Smith-Barry estate was illegal. I contend that the combination was perfectly legal, and that hon. Gentlemen opposite have no right to assume it to be illegal until they have proved it to be so in a Court of law.

*(6.32.) THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): With one portion of the speech of the hon. Member for East Mayo (Mr. Dillon) I heartily agree, and that is the passage in which he expressed a wish that Englishmen should go over to Ireland to study the proceedings in our Courts, and observe the manner in which justice is administered. Before I sit down I shall give the Committee the testimony of some Englishmen, whose authority I do not think will be disputed by hon. Gentlemen below the Gangway, as to the result of such examination on their minds. The hon. Member for the Holmfirth Division (Mr. H. Wilson) gave us an account of his visit to Ireland. He brought no specific charge against my distinguished predecessor, but made a general accusation against him of what is called jury packing. When he descended to particulars, he commented on what he

described as the then Attorney General's demeanour in Court, and added words which, I presume, he thought would be satisfactory to myself. Allow me to tell the hon. Member that I resent the attack upon my predecessor in the office which I now hold as I would resent an attack upon myself, and that he is mistaken if he supposes any expressions of the kind he used towards myself are received by me with satisfaction. If the hon. Gentleman has any definite accusation to make let him make it openly, and then we shall know how to meet it. The hon. Member for East Mayo (Mr. Dillon) spoke more definitely as to what is known as jury packing.

MR. DILLON: And also as to the suppression of evidence in murder trials.

*MR. MADDEN: I am now dealing with the Maryborough trials, and not with accusations which, have been often made and refuted, and which I absolutely deny. I am dealing with the accusations made as to the conduct of the police at Maryborough. As I have reminded the Committee, the hon. Gentleman expressed a wish that Englishmen should visit Ireland and judge for themselves. I will give the hon. Gentleman the testimony of an Englishman who went to Ireland, who took the best possible means of informing himself on the subject, and who had the best possible means of knowing what was going on. I have no doubt hon. Gentlemen opposite will accept Lord Spencer,—I mean the Lord Spencer, of 1889—as a witness deserving of credit. What did Lord Spencer, say so recently as the 8th of March, 1889? Speaking at the Eighty Club on that day, he said:—

"We thought we had done away with the cry in Ireland, this painful cry of packing juries; but I was quite mistaken. I found in my experience later in Ireland that when there were cases of agrarian or political moment which created much excitement among people, the cry was again raised, and I will just explain how it came about. Some of you may not agree with me. You may think that I am not giving a proper version of affairs, but what happened was this—I speak of Dublin,—"

[*Ironical cheers.*] Well, it was in Dublin that my predecessor held the office of Chief Crown Prosecutor, at Green Street.

"I speak of Dublin, and I do not know so much about the rest of the country. In Dublin, the Law Officers of the Crown, when the panel of jurors was called over, considered whether there were any publicans on the panel, or farmers who lived in isolated districts. I do not think I shall be contradicted when I say it is the duty of the Law Officers to see that no absolutely partial person is on the jury. The Crown had a right to set aside peremptorily or for cause, and the prisoners to challenge a certain number of jurors. I believe the Law Officer would not be doing his duty if he knowingly left on the jury a man whom he knew would give a verdict independent of the facts. It was the habit to challenge these two classes, and the reason was that the publicans were put in such an invidious position with their customers, if they went against the feeling of their customers, and did their duty. The same thing occurred with regard to the farmers in any district. What was the result? I know, because I have cross-examined the officers on the subject, and I know these men did not challenge because a man was a Roman Catholic. I am satisfied that the Law Officers did not challenge and set men aside because they were Roman Catholics; but the result was that, as these two classes were invariably Roman Catholics, we constantly had juries in Roman Catholic districts almost wholly made up of Protestants."

Now, I have given to the Committee the testimony of an Englishman who examined and cross-examined the Law Officers on the subject. [Hon. MEMBERS: The Law Officers!] I do not suppose hon. Gentlemen suggest—I certainly do not suggest—that my predecessors, who served under Lord Spencer, were less intelligent or trustworthy than those who preceded or who followed them.

DR. TANNER (Cork Co. Mid.): I wish to correct the right hon. Gent——

THE CHAIRMAN: Order, order!

DR. TANNER: But the right hon. Gentleman——

*MR. MADDEN: The hon. Gentleman will have an opportunity of replying to me. But I have also the testimony of the right hon. Gentleman the Member for East Denbighshire (Mr. Osborne Morgan). He went over to Ireland and examined for himself, and his experience, both as a lawyer and as a Member of this House, entitles his opinion to respect. In the course of a Debate, which took place in this House, in February, 1883, on the old story of jury packing, the right hon. Gentleman gave his experience of what he saw in Ireland. He spoke against an Amendment moved by the hon. Member for the City of Cork (Mr. Parnell), stating that he happened

to be in Dublin during one of the trials for murder. He said—

"He went into Court as an entirely unprejudiced spectator. He did not know what proportion of the jury was Protestant and what was Catholic; but he desired to say, having had some experience, both favourable and unfavourable, of juries in this country, that never in the whole course of his life had he beheld a more intelligent, a more patient, or a more impartial jury, and, he thought he might add, a jury more indulgent to the prisoner. Every single question they put was directly to the point, and, as he could judge, most of their questions were directed to elicit some point in favour of the prisoner. He could say emphatically that no man could have had fairer trial, and at the conclusion of it he could not help saying that if that was the way they packed juries in Ireland, he only wished they would pack English juries in the same way."—(*Hansard*, vol. 276, p. 892.)

MR. DILLON: What was the date?

*MR. MADDEN: The date of the discussion was——

MR. DILLON: No; the date of the trial.

*MR. MADDEN: It was the trial of Michael Walsh before Mr. Justice Lawson. The point of my observations is, that that opinion was given in a Debate in which it was alleged that confidence in the administration of the law was destroyed in Ireland in consequence of jury packing. Among the number of Englishmen who have gone over to Ireland was a distinguished lawyer, who, I regret to say, has since died—Mr. Crompton. He was present at the trial of Father M'Fadden at Maryborough, and he bore testimony, in remarkable language, to the manner in which the Judge conducted the trial, and as to the conduct of the jury who were empanelled on the occasion.

MR. J. MORLEY (Newcastle-upon-Tyne): He said the jury was packed.

*MR. MADDEN: Not in his original speech. He afterwards wrote a letter to the Press, and no doubt, as hon. Members opposite say, he did say that he thought the jury were packed. But he had no means whatever of knowing whether this was so or not. Mr. Crompton was, however, a competent witness as to the conduct of the trial, and the behaviour of the jury, and it was on this point I used his testimony. Now, with reference to the specific charges made by hon. Gentlemen opposite. In respect to the cases of Mr. John Kelly and Mr. O'Dwyer three charges were formulated against us by the hon. Member for East Mayo (Mr. Dillon); first, that Mr. Kelly was prosecuted though he had committed no offence in word or deed; secondly, that the law of conspiracy was extended in the case, as it has never been extended before; and thirdly, that the Crown assumed, without proving it, that the combination on the Smith-Barry estate was illegal. I think it is a little infelicitous, to say the least, to have selected as an indictment against the conduct of prosecutions in Ireland a case in which not only was the prosecution proved to be well founded by the Court of First Instance, but in which Mr. Kelly, who had the power to appeal on the question of fact, deliberately refrained from doing so. As to the question of law, however, he did appeal to the Exchequer Division, and the Court upheld the decision of the Magistrates, and held that the prosecution was fully justified by the epidence. On both these points, then—that there was sufficient evidence to warrant putting the prisoner on trial, and that an offence was committed—the prosecution was sustained. The sentence of four months' imprisonment enabled the prisoner to appeal as to the facts if he thought he had been unjustly convicted. He did not avail himself of the right, and we are justified, therefore, in concluding that he had no confidence in his own case on the facts. The hon. Member has said that Mr. Kelly was guilty of no offence, but he was proved to be guilty of criminal conspiracy, conspiracy which is as criminal and indictable in England as in Ireland. [*Ironical laughter.*] I challenge any English lawyer to get up in this House and deny that conspiracy to compel or induce tenants not to pay their rents is illegal in England. Will any ex-Law Officer opposite say that if such an offence had been committed in this country in his period of office, it would not have been his bounden duty to order his prosecution? With reference to the trials at Maryborough, I think it is unnecessary to go into detail, or to trouble the Committee at any length, for the action of the Government and the Crown Prosecutor in regard to them is amply justified by the facts. In one case in which the prisoner was indicted for murder, the Judge remarked on the

lenient view which the jury took of the case, and in another the jury, who, it was alleged, were packed, disagreed, so that this instance again failed to bear out the suggestion that the jury, because they were packed, were panting for the blood of the prisoners.

*MR. H. J. WILSON: I complained of the Attorney General, but I made no such suggestion in regard to the jury. I did not say one word against the jury.

*MR. MADDEN: The jury did their duty honestly between the prosecution and the prisoners. Moreover, the rest of the prisoners after the result of the trial of their fellow prisoners thought their best chance was to plead guilty, and throw themselves on the mercy of the Court. That fact of itself shows that the prosecution was amply justified, and I repeat that weaker and more infelicitous cases on which to found an attack on the administration of justice in Ireland could not have been brought forward than those which have been adduced to-night — cases in which either the prisoners pleaded guilty, or the prosecutoin was held justified by the decision of the High Court.

(7.0.) MR. J. MORLEY: A noble Marquess in another place, in a very intemperate and wild oration, spoke of the "consummate audacity" of my right hon. Friend the Member for the Bridgeton Division. I do not wish to apply such a phrase to the line taken by the right hon. and learned Gentleman the Attorney General for Ireland, but it is almost audacity to pretend that the testimony of Mr. Crompton was not a definite denunciation of the system of jury packing.

MR. MADDEN: I said it was. I said Mr. Crompton had nothing to urge against the conduct of the Judge and jury at the trial, but that his testimony was in favour of the right hon. Gentleman on the question of jury packing, though I questioned his means of knowledge.

MR. J. MORLEY: But nobody said anything about the conduct of the Judge, We are not impugning the conduct of the Judge, so far as I know; we are impugning the conduct of the late Attorney General, the chief officer of the Crown, who, I must say, in my judgment, to the disgrace of the Administration, at this moment occupies the chief seat of justice in Ireland. We have nothing to say against the conduct of Mr. Justice Gibson; it is the conduct of Mr. O'Brien we challenge. The right hon. and learned Gentleman says now he admitted that Mr. Crompton's testimony was to the effect that there was jury-packing, but did he admit it? Did he not, on the contrary, do the best he could to mislead the Committee?

MR. MADDEN: No, Sir, I did nothing of the kind. I was reading a portion of Mr. Crompton's speech relating to the conduct of the jury. Then there was some interruption from right hon. Gentlemen opposite, and I stated at once —I am in the recollection of the Committee—I admitted that on the question of jury packing his testimony was on the other side.

MR. J. MORLEY: The right hon. and learned Gentleman is always so courteous, and generally so fair, that I should be sorry to say a word that might seem to impugn his veracity and sense of honour, but I do maintain that the effect of the right hon. and learned Gentleman's remarks as to Mr. Crompton's testimony was misleading. Hon. Gentlemen opposite would not have cheered those remarks if they had not recognised the attempt to put the Jury on its legs again. Now, there must be no mistake upon this matter, because even the Chief Secretary, in a speech made in Edinburgh in November last, did distinctly vouch Mr. C. Crompton as to the non-existence of Jury packing. I well remember it because the next day I called attention to the subject—the effect of Mr. Crompton's remarks on Jury packing. It is not worth while to argue the point. Here is Mr. Crompton's own letter. What does he say? It had been said by some one—I know not by whom—and the Chief Secretary afterwards said, that Mr. Crompton expressed no opinion on Jury packing. After remarking that something he had previously said—

"Might lead to the inference that he approved of everything that took place in relation to the trial at Maryborough,"

Mr. Crompton proceeded—

"I wish to separate the consideration of the way the trial was conducted under the presidency of Mr. Justice Gibson from that of the way the Jury was packed, and from the way the jury packing is systematically carried out, which was the principal subject of my speech."

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): Not as reported.

MR. J. MORLEY: I do not know as to that, but at all events, the letter came long before the Chief Secretary made his speech, and it was in the possession of the public——

"I said nothing in favour of the way the prosecution was conducted on the part of the Crown, and, on the contrary, I denounced and explained the way the Jury was packed and selected by those representing the Crown."

But that is not all. He said, further—

"The way the Jury was selected at Maryborough was done in the most open way. Man after man was ordered to stand aside, against whom there was nothing to be said, except, perhaps, that they were Catholics. This elicited the most indignant protests from many of the Jurymen, who were men of position in the county, and obliged to attend at the county town whenever a new Jury was called, with the full knowledge that they would be objected to by the Crown directly their names were called. The result of what I saw is that trial by a Jury so selected cannot be called trial by Jury at all; it is rather trial by 12 men selected by the Crown, and presided over by a Judge of the Superior Courts."

Now, I submit to any gentleman who was in the House when the right hon. and learned Gentleman was making his speech whether he gave the impression that that was Mr. Crompton's evidence.

MR. MADDEN: Yes.

MR. J. MORLEY: The right hon. and learned Gentleman might have intended it, but he did not do it. And then the right hon. and learned Gentleman used a curious argument. He said, How could Mr. Crompton have known the Jury was packed?

MR. MADDEN: Yes.

MR. J. MORLEY: Could he not judge of the enormous probabilites? Could he not judge by what happened? Mr. Crompton was accustomed to the procedure in English Criminal Courts. What explanation, what knowledge was required? Could he not see that 216 Jurors were summoned and that 42 men were ordered to stand by until 12 Protestants were selected? It requires no special knowledge, it requires no more than to judge of ordinary probabilities. The Chief Secretary is an admirable judge of probabilities, and he will not get up at the Table, I am sure, and say that the fact that 12 Jurors, all Protestants, were so selected, could have been an accident. All the laws of probability are against it. Mr. Crompton saw this, and he delivered his emphatic condemnation of what he saw done. Then the Attorney General for Ireland went on to give us a quotation from a statement of Lord Spencer's. This is one of those eternal *tu quoques* of which I should think the right hon. Gentleman the Chief Secretaay is by this time ashamed. They have long ago lost their point. I must confess I did not follow the precise appropriateness of the quotation from Lord Spencer, and I do not see how what Lord Spencer said affects by one jot or tittle what happened in the case at Maryborough. Law Officers of the Crown may have abused their position. I will admit that hundreds of Attorneys General have done the same thing under all Governments and under both Parties, but do not let us at this time of day have a denial from Law Officers of the Crown that it has been the tradition and practice in Ireland to pack Juries. Such an evil practice must end some time, and we insist that the end should be now; and it is because we are convinced that this Jury packing is one of the things that is most to blame for the distrust with which the Irish people regard the administration of the law, and for the discredit into which the administration of it has fallen—it is for that reason we make the present protest, and we shall at a later stage protest, if a chance offers, against the elevation to the Bench of a gentleman who has shown so little an appreciation of what the administration of justice demands.

(7.12.) MR. A. J. BALFOUR: The right hon. Gentleman has parenthetically made an attack upon me for something I said in public in Edinburgh last November or December. If it were worth while I could quote my speech and show that I did not misrepresent the late Mr. Crompton, and that everything I said was justified by public statements made by Mr. Crompton, either in speech or in letters to the Press. It is a small matter, however, and I will go at once to the substantial issue raised by the right hon. Gentleman. The right hon. Gentleman accused me and my right hon. and learned Friend near me, the Attorney General for Ireland, of having quoted Mr. Crompton's evidence as to the efficiency and proper conduct of the Jury, and of

having concealed the undoubted fact that Mr. Crompton, in one of his communications, though not the first, did state that, in his opinion, the Jury was a packed Jury. My right hon. and learned Friend was, however, quite justified in calling the attention of the Committee to a point on which Mr. Crompton was an expert, on which he had the evidence before him, and on which, therefore, he could pronounce with some degree of authority; and he was perfectly justified also in stating, as he did state, that Mr. Crompton could not infer with certainty, or even probability, from the mere facts which took place in Court, whether what occurred was or was not Jury packing. The right hon. Gentleman met that by asking whether it could be put down as a mere coincidence that the persons excluded from the Jury were Catholics and the persons included were Protestants, and he went on to say that by the application of known laws of probability the fact was deduced that there was a packed Jury. Now, it was precisely in reply to that argument that my right hon. and learned Friend called in the testimony of Lord Spencer. The right hon. Gentleman says that is one of those eternal *tu quoques* of which we ought to be ashamed. It is not a *tu quoque* at all. It is not a statement made by the Government that right hon. Gentlemen opposite did precisely that of which the Government are now accused, five years ago. That is a perfectly legitimate argument—an argument I am not going to deprive myself the use of, because of the obvious irritation it provokes in right hon. Gentlemen opposite. But this is not a case of *tu quoque* at all. It is a quotation from a statement deliberately made by Lord Spencer in 1889, looking back upon his own Government, and giving to the public with all deliberation, and with all the additional weight which, in the opinion of the right hon. Gentleman opposite, resulted from his change of convictions, the conclusions he had arrived at, not like Mr. Crompton, by a mere survey made at one trial, but after a careful and critical examination of the action of the Law Officers of the Crown—in other words, of the action of the only people who are competent to give a complete and full account of what occurred at the trial. I gather from the ironical cheers of hon. Gentlemen that Lord Spencer was a great fool to take the advice of the Law Officers. ["Hear, hear," *from* Mr. MAC NEILL.] I am unwilling to subscribe to so unfavourable an opinion as that entertained by the hon. Gentleman. I believe that Lord Spencer is not only a very honourable man, but is very competent to give an opinion on this point after personal examination, and it is worthy of consideration by hon. Gentlemen opposite. My right hon. and learned Friend could not by any possibility have chosen in this country a man either of larger experience on this point or one whose judgment on this subject should carry more weight with every section of the community. Observe how Lord Spencer deals with this argument of probability. I will read to the Committee the extract which has already been quoted:—

"Some of you may not agree with me; you may think that I am not giving a proper version of affairs, but what happened was this. I speak of Dublin, and I do not know so much about the rest of the country. In Dublin the Law Officers of the Crown, when the panel of jurors was called over, considered whether there were any publicans on the panel, or farmers who lived in isolated districts. I do not think I shall be contradicted when I say it is the duty of the Law Officers to see that no absolutely partial person is on the jury. The Crown had a right to set aside peremptorily or for cause and the prisoners to challenge a certain number of jurors. I believe the Law Officer would not be doing his duty if he knowingly left on the jury a man who he knew would give a verdict independent of the facts. It was the habit to challenge these two classes, and the reason was that the publicans were put in such an invidious position with their customers if they went against the feeling of their customers and did their duty. The same thing occurred with regard to the farmers in any district. What was the result? I know, because I have cross-examined the Law Officers on the subject, and I know these men did not challenge because a man was a Roman Catholic; but the result was that as these two classes were invariably Roman Catholics, we constantly had juries in Roman Catholic districts almost wholly made up of Protestants."

That is Lord Spencer's view of the operation of the law of probability on the question of the selection of juries, and it is a view recently expressed which ought to carry weight with the Front Opposition Bench, because it gives clearly, in my opinion, an accurate account of what the Law Officers of successive Governments have found it necessary to do in the interests of justice. It is a commonplace, unfortunately, the truth of which

cannot be denied, that a large class of the population of Ireland cannot be trusted to give a verdict according to their oath in certain classes of cases. It is a lamentable and deplorable fact that this should be so. It may be, if hon. Members choose to say it is, a shameful commentary upon the last three centuries of English Government in Ireland. We may make our own deductions from the fact; but, if it is a fact, and if it is the duty of those who have the conduct of a trial to see that the jury should be selected so that it should be its duty to give a verdict without fear and favour according to the evidence, then the practice which has been found necessary by successive Governments in Ireland, and is still found necessary, is a practice which the House of Commons ought to support. But that is not the practice of jury-packing. Jury-packing is a gross, calumnious, and misleading description of the practice. It is a process of using the power of challenge, the order to stand aside given in England and Scotland ["But never used"] and Ireland for the purpose for which it is given—namely, that of excluding from the juries those who cannot be trusted to do their duty according to their oath. That the right is more largely used by the Crown in Ireland is true. It is the necessary consequence of that deplorable fact I have referred to, and it is a consequence against which we cannot shut our eyes; but we shall not make trial by jury in Ireland a better form of the administration of justice if we restrict the powers which are necessary and given in the three countries, and which are so often exercised over a large portion of Ireland. The right hon. Gentleman before sitting down stated that at a later stage of the Debate he proposes to make an attack upon a distinguished Judge.

THE CHAIRMAN: If the right hon. Gentleman said that he said it hypothetically, but it was not the purport of his speech, and it has no relation to the Vote.

MR. A. J. BALFOUR: Then I may say, hypothetically, that there are very good reasons to show to the Committee why they should not agree with the criticisms which, not hypothetically, the right hon. Gentleman found time to insert in one or two interstices of his speech. I understand that while you rule that those attacks may be suggested or insinuated on the distinguished Judge who presides over the Court of Queen's Bench in Ireland, I am not now in order in answering them.

THE CHAIRMAN: I did say that criticisms of the conduct of the late Attorney General were perfectly permissible, and that defence and rebuttal of that criticism was also permissible, but the question as to the action of the Crown in promoting that Law Officer to a seat on the Bench was not permissible.

MR. A. J. BALFOUR: It was permissible, however, to describe it as disgraceful. I will not traverse the ruling of the Chair by adding a single word except this—that I absolutely concur with the opinion expressed by Lord Spencer of Mr. O'Brien when Crown Prosecutor in Dublin, that his Government as well as the present Government owe a deep debt of gratitude to that distinguished lawyer for his services in the cause of justice.

(7.28.) MR. J. MORLEY: I have listened as carefully as I could a second time to the quotation from Lord Spencer, and I must say that it has not the least bearing on the present argument. What does Lord Spencer say? That it is true that his Government did for good reason order or direct publicans to stand aside, and it happened incidentally that most of those publicans were Catholics and farmers. But Lord Spencer's contention is that they did not direct them to stand aside because they were Catholics, but because they were publicans or farmers. But the present charge is that those 42 men at Maryborough were ordered to stand aside because they were Catholics, and for no other reason. They were special jurors, men of substance, and they complain bitterly of being called away from their vocations in order to have this stigma fixed upon them. That is a point upon which the quotation from Lord Spencer has no bearing whatever.

*(7.30.) MR. S. SMITH (Flintshire): I was present at these trials with Mr. Crompton and I heard Mr. Crompton's opinion expressed on many occasions. I heard him deliver the speech in Dublin in which he described his impression of the trials. While it is quite true that Mr. Crompton approved of the conduct of the trial by the Judge, he did strongly

condemn the conduct of the case by the prosecution. I, myself, saw the empannelling of the Jury, and certainly I cannot describe it as other than jury-packing. Out of a very large number of jurymen summoned to attend there were 11 Protestants selected and one Catholic, and the last, I was given to understand, was a strong anti-Nationalist. I cannot imagine any proceeding that can be better described as jury-packing. Prior to this, another Jury was empannelled consisting entirely of Protestants. Many of the Jurymen summoned were Catholics, and most of them were men of substance, holding positions that would not subject them to coercion or undue influence, they were mostly men of property, possessing the Special Jury qualification, and so they did not belong to the class specially liable to be coerced. I had repeated opportunities of discussing the entire proceedings with Mr. Crompton; and I heard him express the opinion exactly as it has been described in the House to-day by the right hon. Member for Newcastle (Mr. J. Morley), that the whole thing could only be regarded as a gross perversion of the forms of justice. Again and again Mr. Crompton said this in my hearing, but, being a fair-minded man, he always commended the action of the Judge, and I agreed with the opinion expressed by my friend that the Judge conducted the trial fairly and impartially. But the whole system was a burlesque of trial by jury, and I came away with a feeling of deep disgust and indignation at the travesty of justice going on in Ireland, and with the conviction that there never can be peace or satisfaction in Ireland until this system is put an end to.

*(7.35.) MR. BRYCE (Aberdeen, S.): I am content to leave this question of jury packing where it is left by the controversy to which the Committee has listened, and I desire to recall the attention of Members to another matter, which has been referred to by the hon. Member for North Dublin and by the hon. Member for East Mayo. The Attorney General for Ireland has not attempted a defence, nor, indeed, do I think he succeeded in a palliation of the failure of justice in the case of Mr. John Kelly. The case was submitted by the hon. Member for North Dublin with considerable fulness and carefulness of statement of fact, but there were not many Members in the House at the time, and, from the language used by the Attorney General for Ireland, the facts cannot be gathered. All he said was that the case had gone to the Exchequer Division of the High Court, which Court had supported the Resident Magistates on a point of law, and upon that I will say a word or two presently. The Attorney General for Ireland seemed to taunt the defendant with not having appealed to the County Court Judge on the questions of fact, but the right hon. Gentleman omitted to state that the defendant could not appeal both on matter of law and matter of fact, and nothing is more natural that when a person thinks his case on a point of law is very strong that he should appeal on that point of law instead of going to a County Court on a matter of fact. The facts of the case which the right hon. and learned Gentleman tried to dispose of in an easy off-hand way have been fully stated to the Committee, so that I will advert only very briefly to them. Mr. Kelly was seen driving round on a car to a number of houses on the Smith-Barry estate, and, in conversation with Mr. O'Dwyer, who was afterwards tried along with him, was heard, by a policeman concealed in a hedge, to remark, in reference to a conversation with a woman in one of the houses, "The women are more in earnest with us than the men." On this slender evidence, and on nothing more than this, John Kelly was convicted of conspiracy. Now, I ask hon. Members to imagine a strike in England before the Act of 1875, and a man driving around the district in which the strike prevailed being heard to make use of such an expression as I have mentioned. Imagine such a prosecution in England, and the indignation it would have excited. The Attorney General has thrown down a bold challenge to English lawyers; he says a man could be convicted in England on the same evidence. But I ask any hon. Member who will bring a fair mind to bear upon his knowledge of what takes place in English Courts, can he imagine an English jury convicting a man upon such evidence as that? Can any similar conviction in England be pointed to? Can we imagine

a man being sentenced in England, not to four months' hard labour, but even to a week's imprisonment, on evidence such as I have stated? The Attorney General for Ireland did not venture to deal with the facts at all, whether because he felt the scandal, or because he is so accustomed to indefensible convictions that they cease to shock him. He merely pointed to the fact that the Exchequer Division did not upset the conviction. The Exchequer Division could not go into the facts; they seem to have thought, as there was some tittle of evidence, they must not reverse the action of the Magistrates. I will, however, tell the Attorney General why no similar conviction could have taken place in England. There are three points in which the law of conspiracy in England differs widely from the law of conspiracy in Ireland. In the law of Ireland there is no statute similar to the Trade Unions Act of 1875 protecting acts done in trade disputes. The Attorney General says that that Act reserves the power to punish intimidation. Perfectly true. But the Attorney General cannot say that we have to deal with intimidation in the present instance, because on the charge of intimidation Mr. John Kelly was indicted and acquitted. Secondly, under the law of England it is not an indictable offence to induce, or to combine in order to induce, persons to break contracts. I know it has been held otherwise in Ireland by Judge Fitzgerald, and by others following him, but the authorities in England have been subjected to careful examination, and (although there has been some doubt on the point) the opinion of Mr. Justice Stephen, not usually supposed to take a lenient view in such matters, is in consonance with that expressed by Mr. R. S. Wright in his *Law of Criminal Conspiracy*, and by Mr. K. E. Digby, in his recent very able treatment of the subject, that it is not an indictable offence in England to induce persons to break contracts. Thirdly, it is a most material difference that in England this class of cases, which are of the utmost difficulty, go before a jury. In Ireland the decision is thrown into the hands of the Magistrates. The distinction between questions of law and questions of fact is lost sight of, and the influence of public opinion, with which the law ought, if possible, to be in harmony, is wholly ignored. It is a very grave and serious misfortune that persons should be convicted on what everyone must admit to be extremely weak and scanty evidence. Mr. Kelly may, or may not, have been concerned in the tenants' agitation on the Smith-Barry estate. I do not enter into that, for I have no knowledge beyond what the depositions, which I have read, supply, but I point out to the Committee that whatever knowledge derived from other sources may have been present to the minds of the Resident Magistrates, there is not in the depositions sufficient evidence upon which to found a conviction. The Magistrates may have had various statements, made to them by private informants, in their minds, and knowing this, the Crown Prosecutor, I assume, did not think it necessary to go through the usual form of proof. He seems to have presumed on his knowledge of facts in the minds of the Magistrates, and, as the result shows, presumed rightly. But I put it to the Committee, is it not a matter of the gravest concern that the administration of the law should be so conducted as to inspire no confidence in the people? How can the people of Ireland have any confidence when they see a case, which in England would have to be supported by a long array of evidence to satisfy a jury, decided by Resident Magistrates in Ireland upon practically no evidence at all but upon private impressions or untested belief? I think we are under obligation to Irish Members for bringing before the House a case which, it is to be feared, is only too typical of the maladministration of justice in their country.

(7.50.) MR. MACNEILL (Donegal, S.): The course of the Debate has clearly shown how the Chief Secretary is led into error by reliance on garbled versions of facts put before him by Irish officials. To this is due the fact that in previous allusions to Mr. Crompton's evidence the right hon. Gentleman omitted to say that that gentleman made a fierce attack upon the system of jury packing pursued at Maryborough. In this full Report of Mr. Crompton's speech in Dublin, on October 22, there is a thorough and complete condemnation of jury packing. Right hon. Gentlemen opposite have pressed Lord Spencer's

name into their service. I wish from my heart that the Chief Secretary in the few months left him to exercise for good or evil his influence in Ireland would imitate Lord Spencer in those investigations which have led the noble Lord to his present opinion on the Irish question. Criminal prosecutions in England are conducted with fairness and an honourable intention to arrive at the truth, and the Crown Prosecutor on occasion makes himself the prisoner's counsel. I was very much struck with that in witnessing a case in which the hon. and learned Member for Ashton - under - Lyne (Mr. Addison) was prosecuting. He is a political opponent of mine, but I could not help congratulating him, and these congratulations he appeared surprised to receive. The Judge was pressing a point somewhat hardly against the prisoner, and the hon. Member, as prosecuting counsel, intervened, and said as much in the interest of the accused. When I spoke to the hon. and learned Member afterwards on this, he expressed his surprise that several Irish Members had congratulated him upon what seemed to him the most natural thing to do. But as I told him, he does not see the law administered as we see it in Ireland. It is a hunt without the rules of the sport, the victim is the prisoner to be run to death, and success is the measure of promotion for the counsel prosecuting. What Lord Denman said of trial by jury, in reference to the O'Connell trial, is true now, trial by jury in Ireland is a fraud, a delusion, and a snare. Even Unionist newspapers like the *Daily Chronicle* make this admission. That paper, in a fair and able article in January last, declares it is much to be regretted that trial by jury in Ireland bears only a resemblance in theory to trial by jury in England. In England there are never several hundred jurors summoned, from which to select a jury by unlimited challenge. In the Court of Appeal to which the Gweedore case was carried, and in which Mr. Justice Gibson sat, the verdict was confirmed by a majority of one of the Judges, and I need only refer to the significant observation of one of the Judges, "You have gambled for a verdict." In the cases I propose to give as illustrating administration in Ireland, let me first refer to the case of Frackleson, the emergency man, who, some 12 months ago, committed an unprovoked murder by firing three shots from a revolver; one person was killed on the spot, and two others seriously wounded. Mark the difference, that in this case though the Government were obliged to prosecute, they did not exercise their right of challenge in empannelling the jury. I mentioned some time ago that the Constabulary had, since the right hon. Gentleman has been in office, committed 14 murders, in none of which were prosecutions instituted, except in two, and they were sham prosecutions. The first of the two was a case in which a murder was committed at a place called Timoleague, on the 3rd September, and the other was the case of a murder committed on the 5th September in Tipperary. In each of these cases the Crown Solicitor did his best to defeat the ends of justice. In the first case the person murdered was a poor boy, and a Coroner's Jury was summoned to inquire into the matter. Mr. Blake appeared as Crown Solicitor to conduct the case on behalf of the county, and he so managed it as to ensure a disagreement on the part of the jury, his action being such that he ought not to have been allowed to retain his office. It was so arranged that seven of the jury were Protestants and the other five Catholics, and men had been sent to summon these juries distances of six and seven miles, when there were plenty of respectable individuals living in the neighbourhood whose attendance could have been secured. The police, however, were made to scour the country for miles in order to procure men who would be likely to bring about the desired result. This was a gross scandal and an undoubted attempt to pack the jury. Well, as I have stated, in that case the Government managed to ensure a disagreement. In the other case of murder, which occurred two days after that of Timoleague, the Coroner's Jury returned a verdict of wilful murder against the policemen charged. Those policemen were brought before two Removable Magistrates and the case was conducted, by whom? By Mr. George Bolton. Now, Sir, I will get up and apologise to Mr. George Bolton for what I have to say if the right hon. Gentleman the Attorney General for Ireland will get up and contradict me when I state that

Mr. George Bolton, who was employed in this case as the representative of law and order, is simply a sink of iniquity. Will the right hon. and learned Gentleman correct me? The Chief Secretary knows nothing at all about it, but the Attorney General does know a good deal. Both he and I know Mr. George Bolton, and I have just said that if the right hon. and learned Gentleman will contradict me in this statement I will at once apologise and express my regret. I say that Mr. George Bolton is a mass of immorality and a sink of iniquity. Will the right hon. and learned Gentleman get up? No, he dare not. He knows that if he did I should state to the House the reasons on which I found this statement. Well, these are the sort of persons by whose means law and order is supported by the Government. The right hon. Gentleman the Chief Secretary never makes a speech in Ireland in which he does not talk of his morality, but does he ever talk of the morality of some of his subordinates and agents? The two policemen accused in this case—a sub-Inspector and a constable—having been brought before the two Removable Magistrates on a sham prosecution in which the Magistrates refused to direct any further action, the result is that the Sub-Inspector and the constable who shot the man are now at large. This is the way in which justice is done in Ireland. In one of the numerous collisions which have occurred between the police and the tenantry at Falcarragh in Donegal, a policeman was charged with brutally assaulting a tenant, and the tenant also was charged with brutally assaulting the policeman with a crowbar. Both these proceedings arose out of what was done at the same time and in the same cottage. But the policeman was a Protestant and the tenant was a Catholic, and the tenant was taken for trial not to Donegal but to Tyrone where he was brought before an Orange Jury, and was, as a matter of course, convicted. The policeman, however, who was alleged to have struck the tenant and fired shots at him was not taken to Tyrone to be tried by an Orange Jury, but had the advantage of counsel for the Crown, who did all that was requisite in challenging the Catholic Jurors, and he got off. Who was it that tried the two persons—the tenant at Tyrone for assaulting the policeman and the policeman at Donegal? Why, Mr. William M'Loughlan, Queen's Counsel. Surely this case shows the shameless frauds that are perpetrated in Ireland in the name of justice. I find also, that at the last Spring Assizes at Derry, in which three men who were Catholic, and had been arrested in Monoghan, were sent for trial by a Derry Jury. How was that Jury composed? Why, one of the Jurors was a contractor in the town, and supplied horses and vehicles for taking the prisoners from the railway to the gaol and from the gaol to the Court House. The result was, of course, that those men were convicted, one of them getting only three months imprisonment, while the others, who were connected with the National League, were sentenced to imprisonment for six months. Then I would put it to the House, how are prosecutions conducted for political purposes? The Government avowed that they regarded with apprehension the Tenants' Association, which was meant to slash, and undoubtedly did slash, at the Smith-Barry syndicate. Well, the Government set itself to destroy the Tenants' Defence Association, and the Crown Solicitor of Roscommon was very active in this work. I have here, as the result of this activity, an indictment framed by the Crown Solicitor of Roscommon on the 15th September, alleging that certain defendants being in a proclaimed district had incited others not to do that which they had a legal right to do, and that, without legal authority, had unlawfully used intimidation towards persons whose names were unknown, with a view to force such persons into doing acts which they had a legal right to abstain from doing. I assert that the Crown Solicitors have collusively abused the Coercion Act, and I will call attention to a remarkable case in which a man received three months' imprisonment for winking at a pig. The Magistrate said that winking at a pig was in itself no crime, but the winking had been done to induce persons to refrain from buying a pig which the owner, who was a boycotted person, had taken to market for sale. This occurred at Falcarragh, and the result was that a summons was issued and the case taken into

Court. They bound the defendant in two sureties of £25 each to keep the peace for 12 months, or, in default, to be imprisoned. Of course, the man was marched off to gaol. My hon. Friend behind me has immortalised in verse the pig-winking case, about which right hon. Gentlemen on the Treasury Bench know nothing. It is too parochial for them. I now wish to state how the Crown Solicitors pursue their duty. I will take one case of a gentleman who adorns the administration of justice. A few weeks ago Dennis O'Brien, of Loughrea, commonly known as a land-grabber, was found guilty of dangerously stabbing another man. The Crown Solicitor got the Judge to let the fellow out on his own recognisances. He was not an hour in prison, although he had stabbed the man dangerously. At the same Sessions a Town Councillor, named Sullivan, was sentenced to six months' hard labour for having cheered the Woodford prisoners, who had frequently been remanded for refusing to give evidence. So that you have in the same Court a land-grabber guilty of stabbing let out on his own recognisances, though he had stabbed a man, and a Town Councillor sentenced to six months' imprisonment merely for cheering some prisoners. I can prove to the House cases in which men have been caught red-handed in wilful murder, and let off by these very Crown Solicitors. Here, again, I press into service my friend Mr. Wybrants Olphert. I asked the Solicitor General for Ireland whether a man named Beattie had been returned for trial in the County Donegal, at the Summer Assizes, for having murdered a man; whether the prisoner had been caught with his smoking revolver in his hand; whether Wybrants Olphert sat on the Bench; and whether, after he had dismissed the charge, he was over-ruled by the other Magistrates; whether, at the Summer Assizes, the Grand Jury threw out the Bill. The fact was that this man was an agent of Olphert, in respect of a commercial company, and Olphert sat on the Grand Jury which threw out the Bill. No proceedings were taken against him because he was the landlords' friend. The right hon. Gentleman, in answer to the questions, said the Bill was thrown out at the last Summer Assizes; and the Attorney General called for a special Report from the Crown Solicitor—the Crown Solicitor himself being at the present moment under the charge of firing a revolver and drawing a sword upon a poor man. Without going into that matter, it was decided that there was not sufficient evidence against the man, although he was caught red-handed, to justify the Crown in taking any further proceedings. Is that not an atrocious parody of all justice, and are we not guilty of political and social immorality in voting money to these fellows to be used in this way? I find the Crown Solicitors are very, very careful about the character of the *Times* witnesses. It is a well known rule in Ireland and England that the Judge is furnished with the antecedents of the man on his trial. A man of the name of Mitchell was charged at the last Carlow Assizes with knocking down a man named Bolam for having reaped a crop on a farm from which Mitchell had been evicted. He was only ordered to enter into his recognisances. It was perfectly well known that he was a *Times* witness, and that he had presented a revolver to his landlord's steward and threatened to shoot him. That fact was not laid before the Judge, the desire being to hush up anything in which a *Times* witness appeared. I do not wish to say anything about the Government note-takers, except that the Crown Solicitors are as guilty as these fellows, who commit deliberate perjury as to their competency to take notes. It is the duty of the Crown Solicitors to sift the evidence, and only send before the Court that which is trustworthy. I can only say that these Crown Solicitors have been engaged from first to last in all the infamies which have disgraced the present Irish Administration. They have been engaged in suggesting to the County Court Judges the increase of sentences. They have been engaged in all the atrocities whereby Irish Members and politicians have been sentenced to hard labour. They have been, in fact, the servile sleuthhounds of the Crown. But they show singular omissions. A right hon. Gentleman on this side made before the Government notetakers a speech precisely the same as that made by the hon. Member for North Mayo, but

the Crown Solicitors did not dare to prosecute him because he was an ex-Cabinet Minister. But of all these counts the most villainous relates to the costs incurred in trials in which the police are concerned. I ask the Attorney General whether it is not the case that if a policeman breaks open a civilian's head, and the civilian gets damages, the public have to pay those damages, simply because the policeman had exceeded his duty? How will the costs be paid in the action brought by Father Kennedy against Constable Hyde? First of all, this fellow Hyde was defended by four Crown Solicitors. One of them, in his address to the Jury, stated that if there was a verdict against Hyde, it would score a point against the Government. No sooner was the verdict given against Hyde, and the point scored against the Government, than this Crown Solicitor sent a telegram to the right hon. Gentleman the Attorney General announcing the untoward event. These fellows, who forced their way into the private room of Father Kennedy, will their defence be paid for by the public? Or again, will the costs, in the case of some gentlemen who were arrested by a policeman who was drunk, be paid by the taxpayer? These gentlemen, after being detained 36 hours, were liberated, there not being the shadow of a charge against them, and they brought an action for damages. The whole system simply reeks with fraud; the Irish Government smell from earth to heaven. I have simply called attention to a few cases, but for every one I have given I could cite 12 or 14 others. I have endeavoured to put the matter temperately, believing the case to be so strong that it requires no enforcement beyond mere statement. (8.30.)

(9.1.) Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*(9.3.) MR. WEBB (Waterford, W.): I do not think any chivalrous championship by the Attorney General for Ireland of his predecessor in office will at all alter our opinion in regard to the administration of the law in Ireland. One of the arguments used by the right hon. and learned Gentleman was that Earl Spencer, many years ago, defended, to a certain extent, the present system of jury-packing in Ireland. It was, however, fully admitted by Earl Spencer at the time, and it is admitted by the right hon. Gentleman now, that in defending the system of jury-packing he did so entirely on information obtained from the officials whose management of the law we now impugn. There cannot be a better answer than this, that Lord Spencer himself has altered his opinion, and that, with all the means at his disposal to investigate affairs down to the very bottom, he has come to the conclusion, and has the honesty and manliness to state it openly, that it is quite impossible to maintain the present system. Another argument the Attorney General for Ireland used with reference to the trial of those unfortunate men at Maryborough was that they pleaded guilty. I do not think that is a sufficient argument. The pleading of guilty is not always an acknowledgment of guilt. When these poor men saw the determination of the Goverment in the matter, when they saw the extent to which the jury-packing had been carried in the previous cases—and we consider in Ireland that the Government will stop at nothing that will enable them to secure a conviction—I do think they were ill advised in pleading guilty. It is a pretty strong proof that the Government themselves had not any firm belief in the guilt of these men that when they pleaded guilty they were let off with light punishment. The Kelly case is, to my mind, one of the worst that ever occurred. There is no evidence whatever that Mr. Kelly committed any crime. That a man should be convicted because he had visited certain farms in certain districts, and because someone else had said something while he was in prison, is I think a perfect travesty of justice. I am quite sure that even those who will vote against us in this matter must in their heart of hearts believe that the conviction of this man was an unjust conviction, and that the punishment of four months' hard labour he received was a monstrous punishment. The question has been asked, Why did he not appeal? Well, if the law in Ireland is in such a condition that a man on such evidence, and with the certainty of such an imprisonment before him did not appeal, so much the worse for the law in Ireland. It shows that not only in the inferior,

but in the higher Courts, the law is in an unsatisfactory state, and in a state which would be unheard of in a free country. It is difficult for an Irishman to speak of the infamous system of jury-packing with any degree of patience. Those Englishmen who have seen the system at work in Ireland perceive the infamy of it more clearly than we who have lived under it so long. The system is an insult to Protestants, and it puts us in a position which is hateful in the extreme. But if it is an insult to Protestants, what is it to Catholics? Such a system would not be borne in England for a day. The whole object in Ireland when a man is being prosecuted is to obtain his conviction. The Executive does not stand indifferently between the prisoner and the Crown, as it does here. It is very sad that it should be so. It has been used as an argument that, according to the statements of some English visitors, the juries show great anxiety to do what is right. I do not think it is at all necessary to say that a packed jury in itself is unfair. But we object to men who may be expected to have certain prejudices being selected to try prisoners. It would not be at all fair in this House that Gentlemen on the Conservative side or on this side should be alone chosen to settle any matter, and it would be impossible for them to come to fair conclusions on both sides of the case. It is quite possible that a jury would try to act fairly, and yet it should never have been selected to try the case. I believe that the people of Ireland are as much inclined to be fair as the people of any other country, and in all ordinary cases of crime, unconnected with politics, there is no difficulty whatever in obtaining convictions when the evidence is sufficiently strong. I quite admit that it is easier to get a conviction by packing a Jury than is it without. But I do not think conviction is the end of law, and I regard it as a very short-sighted policy indeed. If a Jury is simply to register the charge of a Judge I think the Jury system might be done away with altogether. I am not a lawyer, but I feel that Juries have and it is meant that they should have a large amount of power, in modifying the law. If Juries in England consistently refused to give verdicts in accordance with what the law is supposed to be the law would be changed at once. The notion that to rule Ireland properly you must force the people to consider certain laws right is most short-sighted. The sense of law and justice must be made to spring from within us, and cannot be forced on us from without. The effort to sustain the present state of things in Ireland, and to maintain laws which are against the sense of right of the people, must lead from bad to worse. If Government were working in Ireland for the best, less and less coercion would be necessary. The contrary is the fact, and the longer affairs go on in Ireland as they are, more and more coercion will be necessary, and more and more Jury-packing will be necessary for securing convictions in a certain class of cases. It is quite possible that some patience with the people will be required when a change is made in the present state of things. For my part, I regard it as a great deal better that a sense of justice should prevail in the country than that convictions should be easily obtained, and that the people should be thrown into prison. It is impossible to maintain the present system. It is only by trusting the people that a solid basis of freedom can be maintained, and in proportion as the Irish people rise in education and in comfort, the more they will rebel against the present intolerable state of things, and the more they will be determined never to submit to it. I believe that when a change has been made, and the people are trusted as they ought to be, there will be no longer any occasion to resort to such unfair and drastic methods of procedure as have been used in the case of Mr. Kelly, and as are constantly employed in the packing of Juries.

*(9.20.) MR. T. D. SULLIVAN (Dublin, College Green): I trust the Debate of this evening will receive throughout the length and breadth of this Kingdom the attention it deserves. I feel sure that one portion of the Debate will create a sensation in Ireland, and will not readily be forgotten by the people of that country. Only a few moments ago the right hon. Gentleman, who is chiefly responsible for the rule and government of Ireland at the present time, made with energy and emphasis a statement to the effect that the Catholic people of Ireland are

unworthy of credence on their oath [*Cries of* "No, no!"] I am in the memory of the Committee; I cannot be mistaken in the meaning and purport of the words used. I cannot quote the words textually, but I am under no mistake as to their meaning and purport, and as to the meaning with which they will be regarded in Ireland.

*Mr. MADDEN: The hon. Member has misunderstood the words of my right hon. Friend, who is not here at present. He said nothing of the kind. What he said was that, unfortunately, there were classes of the people in Ireland who could not at the present day, in the present circumstances, be depended on to give a verdict according to the evidence on oath in certain cases, but he did not in the slightest degree suggest that these classes were Catholics.

*Mr. T. D. SULLIVAN: I shall leave it to the Committee and to the Irish people to judge of the value of the explanation and interpretation which the right hon. and learned Gentleman has put upon the words of the Chief Secretary. There is no explaining them away; it is absurd to make the attempt. There can be no doubt in the mind of any man who heard the right hon. Gentleman as to the classes he referred to. The whole speech had reference to the distinction made in the administration of the law in Ireland between Catholics and Protestants, and it was in defence of that distinction, and of the practice of Jury-packing, in defence of the selection of Protestants and of the exclusion of Catholics, that the right hon. Gentleman made the statement we heard, a statement which the right hon. Gentleman and the Government, and the Party to which the right hon. Gentleman belongs, will not be allowed in a hurry to forget. The right hon. Gentleman told us that, for the reason he gave, Jury-packing must be maintained, and must continue in the country. That is a charming message of peace to send to the Irish people. It comes well from the spokesman of the Party who tell us that one of these days we are to get Local Government. Local Government to be given to a nation, the majority of whom are Catholic, the said Catholics being unworthy of credence on their oaths! I shall not take the contradiction of any Gentlemen opposite. I have my own recollection of the words, and so have my Friends around me. We shall look at the Records and Reports to-morrow—I do not suppose they will be cooked in any way—to see whether what I said is not a fair and accurate representation of the words used by the Chief Secretary. Well, Jury-packing is to go on I suppose for the 20 years of firm and resolute Government which the Government and their Party seemed at the time to think they were to enjoy. I doubt very much that they can any longer lay that flattering unction to their souls. But, be their term of office long or short, I take the word of the right hon. Gentleman, that as long as he can help it, the evil and detestable system of Jury-packing shall be maintained. What does the defence of Jury-packing amount to? It amounts to this, that by this process of excluding Irish Catholics from the juries of Ireland, and including Irish Protestants, and Protestants only, fair and impartial verdicts can be obtained. I utterly deny that statement. I deny that the Government seek for an impartial Jury. I maintain that their endeavour is to put men in the box who will find for the Crown in every Government prosecution. If an Irish Protestant were suspected of Nationalist sentiments, he would be excluded from juries. Several Protestants have been excluded. There are Protestants in Ireland who are Irish patriots, just-minded, honest, and liberty-loving men, and I say that that class of men have as little chance of being selected by the Crown Prosecutors in Ireland to try pelitical cases as any Catholic in all the land. I believe that the best men amongst the Protestants will resent, as my honourable Protestant Colleague (Mr. Webb) has to-night resented, this indignity which is being put upon them by the Tory Government, the indignity of selecting them for the purpose of doing what the people of Ireland believe to be an injustice. I trust the feeling that has been expressed by my respected Protestant Colleague, will be shared by thousands of men in Ireland such as he. Speeches have been made from this side of the House which throw great light upon the whole system of Government in Ireland. I trust those speeches will be fully reported and widely read. I feel convinced and I have reason for

my belief, that among the masses of the English people there is a desire to see right done towards the Irish people. The masses of the English people are, I believe, revolting against this disgraceful, iniquitious system by which it is sought to keep for a long period the Irish nation in subjugation, in discontent, and dissatisfaction. We can easily understand, after what we have heard this evening, why it is the name of law and the administration of the law are not so much regarded in Ireland as they are here. They do not deserve to be. Under the name of law grievous oppression and injustice is carried on in Ireland. The administration of law in Ireland, so far as it relates to matters of any political complexion, or even an agrarian complexion, the administration of the law is unjust, "a mockery, delusion, and a snare." The people have no confidence in it. The people of Ireland have as much respect for law and justice, as much love for peace and good order, as any other people on the face of the earth; but as they see law administered in Ireland, it fills them with distrust and detestation. We have heard a good deal about jury-packing in Ireland, and the Committee can estimate the value of the defence which has been set up for it, but in almost every other Department of the law in Ireland the same taint is to be found. The same evil runs through all. There are cases in Ireland where the people cannot, as in England, have the protection of a jury. How can the Irish people be expected to repose confidence in the Removable Mrgistrates? in men like Mr. Cecil Roche——

THE CHAIRMAN: The hon. Member is travelling beyond the Vote.

*MR. T. D. SULLIVAN: I understand this is the Vote for law charges.

THE CHAIRMAN: County Court Officers and Magistrates come under another Vote.

*MR. T. D. SULLIVAN: When the proper time arrives I shall have something to say in reference to those gentlemen. The laws in Ireland, under cover of which so much persecution has been inflicted on the Irish people, are mainly three. This Government instrument of torture for the Irish people has three prongs, and on one or other of these every Irishman who takes part in National movements is sure to find himself impaled. It is impossible for any Irishman to take part in any Constitutional agitation without being charged with being concerned in or connected with either conspiracy, intimidation, or illegal assembly. We have, however, one consolation in all this trial and trouble of ours. The Chief Secretary may be truthfully said to be one of the best friends and most able helpers of our National movement. If it were not un-Parliamentary I would say that the right hon. Gentleman by his infamies and atrocities, by his work and his actions in Ireland, is winning our cause for us. The right hon. Gentleman is winning the next General Election for us. For the Tory Party the right hon. Gentleman is a very costly luxury, and in sustaining him in his system of rule in Ireland that Party and their Government are paying very dear for their whistle.

*(9.40.) MR. WOODALL (Hanley): I am reluctant to intervene, and if I should repeat something that has already been said, owing to my absence during part of the discussion, I hope I shall be excused. I was one of those English Members who thought it was their duty to be present at the trial at Maryborough. Without going unduly into the circumstances which came under my observation, I beg most emphatically to endorse what has been said by several hon. Members on this side of the House in regard to the prosecution of the unfortunate prisoners from Donegal. Much has been said to-night about jury-packing. It is the duty of the Crown in the conduct of prosecutions to endeavour to secure an independent Jury, from which shall be eliminated all those who are likely to be prejudiced against the finding of a perfectly honest and fair verdict. Englishmen attach much importance to the great privilege which we all possess of being tried by a Jury of our Peers, chosen impartially from our immediate neighbours, and of being brought to trial in the locality where the offence is said to have been committed. We were, therefore, indeed shocked to see how all these privileges were distorted under the rule which prevails in

Ireland, and I am satisfied that if any hon. Gentlemen opposite who desire, as we all do, to see the laws reverenced and obeyed, had been present in the Court at Maryborough, they would have been painfully shocked by the manner in which the laws were there administered. The accused persons were brought from a remote county 200 miles distant. They were brought to be tried by a Jury of strangers, chosen from a class of a different social position to their own. The Jury panel was a very large one, more than 200 names being included in it, and every Juryman on the panel was rated at more than £100 a year. After witnessing the proceedings in Court I was profoundly impressed with a feeling of shame. Substantial men were summoned to serve on the Jury, and under penalty to appear, and there was reasonable ground for belief on the part of every man that he was acceptable for the discharge of the duty of a citizen, and capable of giving a verdict according to his oath. I say, again, it was impossible to witness the spectacle that followed without being ashamed. Substantial men who had been summoned to attend from long distances, who would have been fined if they had not been present, when they appeared found that they had been called merely to be told to stand aside. When they protested against these repeated insults, which would have made the blood of any Member of this House boil, they were subjected to fine, and in every case to rebuke for resenting the insult. The result of the challenging system was to produce a Jury strongly prejudiced against the men placed upon their trial, and the Committee must remember that these men were removed far away from their own county. I remember how the first prisoner, when called upon to plead, declared in a few simple sentences that he had no confidence in the Jury to whom his life was to be left. With my friend the late lamented Mr. Crompton I noticed many important matters in which the administration of the law differed from the administration in England. My friend Mr. Crompton acknowledged, as I do, the conspicuous fairness of the Judge, but that, of course, we were prepared to find, and though I am prepared to admit that the Jury seemed animated by a desire to do their duty, that concession only leaves us in regard to this charge exactly where we were. The prisoners were removed from their own county, and denied the safeguards we are entitled to look on as the essential conditions of a jury. There were a number of curious incidents we noted, and remarkable differences from English procedure. One thing which caused us, who were visitors, great surprise was that the doors of the Court-house were closed, that admission was only granted as a sort of favour, and it was only after protest from the English Members present that the doors were ordered to be opened, and the general public were admitted as long as there was space to be had. I understand, Sir, that you have ruled, and I do not wish to deviate from your ruling, that it is not competent for us to discuss the Memorial which was signed by myself and by all the English visitors present at the trial, praying for the clemency of the Crown, and consideration of some of the peculiar circumstances which accompanied that trial, but I hope another opportunity will be offered us of raising that question. But there were some circumstances in connection with the trial of so remarkable a character that they tended very seriously to weaken in the minds of the visitors confidence in the soundness and justice of the verdict. Evidence was accepted which afterwards became the subject of inquiry before the Court of Appeal. What is the effect of all this on the minds of the people of Ireland? We all desire to win over the Irish people, as the Scotch and the English people have been won over, to a respect for the administration of the law, but is this the way to win them over? How far do these prosecutions, conducted in the way that has been indicated, tend to bring about the contentment of the Irish people and orderly and peaceable conduct on their part? I know a little about Gweedore and the county from which these prisoners were brought. I remember in 1887 visiting the district in connection then with the promotion of cottage industries, and I remember then I had remarkable testimony to the virtues of the inhabitants. I remember the conversation with a Resident Magistrate; he told me there was no

part of Ireland in which the people were more quiet and well conducted than in the Gweedore region. Then my informant went on to tell me how this result was to be attributed to the influence of a remarkable priest who had made nearly all his people teetotalers, Petty Sessions was almost a blank so far as criminal cases are concerned, and the district was practically crimeless. All this happy state of things was attributed to the influence of the Rev. Father M'Fadden. Afterwards I had the good fortune to make the acquaintance of Father M'Fadden, whom I am now proud to call a personal friend, and I found him all he had been described to me, a friend of the people, who found employment for them, protected their rights in the Land Court, and fought their battles for them in various ways, and I should have thought that any Government would have esteemed itself fortunate in being able to have the assistance of such a man exercising such a beneficent influence. But what instead did the Government do? The story is a sad one, and it is well-known. This part of Ireland became the scene of disorder, and, under the administration of the right hon. Gentleman, was treated as a conquered country. Things arrived at such a condition that passports were demanded on the public roads by the police. Not to emunerate the various incidents. Father M'Fadden, under his first sentence, passed a term of imprisonment in Derry Gaol, and as was said by an illustrious Member of this House, in relation to O'Connell, as nearly as I can remember—

"The portal of his gaol became the arch of triumph through which the deliverer of his people was restored."

So Father M'Fadden returned to the people to whom he had rendered so many, and such signal services, and they regarded him as having undergone martyrdom in their cause. The love and reverence for their priest deepened among the people of Gweedore, and it was under these circumstances that the Government made another and still more futile attempt to crush him. It was on a Sunday morning, in the midst of his people, and having just left the altar, that with an insufficient force of police an attempt was made to effect the arrest of Father M'Fadden, and in the tumult that arose the people seeing a sword flourished over the head of their priest, the garments of his sacred office rudely ripped, and thinking his life in danger became infuriated, and the death of poor District Inspector Martin occurred. I cannot refrain from referring to the attempt of the Government to fasten upon Father M'Fadden the responsibility of that crime. I forget with what technical offence he was charged in the first place, but certainly subsequently a charge of wilful murder was made against him, and for a long time he was kept under arrest on that odious charge, being driven from Letterkenny to Gweedore over and over again, and he cruelly remanded from time to time. By and by, however, that charge was dropped, and he was arraigned upon another charge. One thing which struck everybody who was present at Maryborough was that, although William Coll and the other accused persons were under trial, the whole action of the prosecuting counsel was to attempt to throw on Father M'Fadden all the responsibility. It is only fair to say that the Judge felt it his duty continually to call attention to the fact that Father M'Fadden was not on his trial. When we are invited to pass this Vote I think we are entitled to ask how far the conduct of these criminal prosecutions tends to secure the objects we should have in view? Surely the aim of all our elaborate system is to prevent crime, and to win over people to co-operation with the Government in bringing about a state of real contentment and orderly and peaceable conduct on their part. But anyone who has visited the North-West of Ireland would find it impossible to discover any man who would say that the administration of the law by the right hon. Gentleman and his colleagues had won the people over to anything like respect for it; on the contrary, it had provoked in their minds feelings of the intensest hostility and revolt. I should, indeed, think less of the Irish people if they entertained any other feeling; for I believe that free men—men who are worthy of being free—could not sit down contentedly under such a condition of things. I agree with the hon. Member who last spoke that the right hon.

Gentleman opposite is playing the game of his political opponents. He is doing his best—although, of course, I do not question the honesty of his purpose—to carry out a policy which centuries of misrule have proved to be a failure, and he is paving the way for those better times when Irishmen of all classes will be equal, in the eye of the law; when people will respect the law; when they will regard order not merely as the enforcement of an arbitrary system by those for whom they have no respect, but as a state of things which contributes to their happiness and contentment; and when there will be a cordial union with those under whose rule the Irish people have to live, and to administer their own affairs.

(10.7.) MR. W. O'BRIEN (Cork Co., N.E.): This Debate, I think, would be a valuable one if it only produced speeches such as that which we have just heard on the part of an English eye-witness of the scenes in Ireland. I cannot help thinking it has even been still more valuable in eliciting the speech of the Chief Secretary. That speech to my mind gave a most instructive and candid exhibition of the spirit of contempt and of aversion with which he regards the people whom he has been sent to govern. The Government were charged to-night with jury-packing—a practice as notorious in Ireland as the sun in the heavens, but which, for some extraordinary reason, Law Officer after Law Officer has been called on to disown in this House. What was the reply about jury-packing? In the first part of his speech he denounced with indignation jury-packing as a gross libel upon the guileless Law Officers of Ireland, and the second part was devoted to the defence of that practice. He made the plainest possible admission that the practice was carried on as an institution, and he based that on the most offensive ground which it was possible even for a Chief Secretary like the right hon. Gentleman to take up—the ground that three-fourths of the Irish people cannot be trusted to return a true verdict on their oaths. Let him put what construction he likes upon phrases. If his speech means anything, it means that three-fourths of the smaller farmer class cannot be trusted to do this, and the consequence is that when the men are told to stand by it involves the direct stigma of perjury upon them. From this night forward I defy any Government to stand up and deny that there has been jury-packing in Ireland. It is now admitted by the Chief Secretary, who has championed and defended it as an inevitable incident of government in Ireland, and with the greatest possible confidence I leave to the judgment of the English people both the right hon. Gentleman's logic in resenting in one part of his speech what he championed in another, and his method of conciliating the sentiments and susceptibilities of the Irish people, whom he has charged with unreliability upon their oaths, and with perjury. I hold that this is practically confessed in the Journals of the House of Commons, and I pass to the case brought forward by the hon. Member for North Dublin. The Attorney General seemed to be very anxious to part with the case of Mr. Kelly, but we cannot allow him to part with it. I am not sufficiently versed in the niceties of the law of conspiracy to be able to deal with the legal bearings of the case. This is a case in which, to my mind, the common sense of laymen is quite able to appreciate the unfairness and infamy of this charge. The Attorney General founded the whole of his defence, so far as he attempted any, except the most perfunctory and trifling, upon the decision of the Court of Exchequer. But what the Court decided was that there was a certain amount of technical legal evidence which might possibly go to a jury, but the difference between English and Irish law is that in Ireland there is no jury fit to go to. The jury that had to decide Mr. Kelly's case consisted of two of the right hon. Gentleman's magisterial lackeys, two men who were depending on him for their promotion, and almost for their means of livelihood, and the evidence that any English jury would have scouted out of Court was quite enough to give those two officials a pretext for putting Mr. Kelly out of the way. Mr. Kelly has been removed—that is the proper professional term—not because there was a scrap of real evidence against him, but because he obstinately refused to give them a scrap. Such a thing could not happen in England, because no tribunal could

possibly convict a man upon such evidence; but in Ireland the Magistrate is juryman, hangman, rope, and all, and when the order went down that Mr. Kelly was to be put out of the way he was sentenced to four months' imprisonment with hard labour, not for anything he did, but for a speech which I delivered nearly six months before in a different part of the country, so that he is now literally and actually suffering four months' imprisonment for simply using the personal pronoun in the plural number. I defy the right hon. Gentleman to point out any other offence that was brought home against Mr. Kelly. I hold this to be as atrocious a case of injustice as ever stained even the annals of Ireland, and it is even more cowardly than infamous. If anybody deserved to suffer for that speech it was I. I was prosecuted for it, but the prosecution was dropped. Again and again we challenged the right hon. Gentleman to contest in a Court of Law the legality of the combination on the Smith-Barry estate, but they declined to submit that question even to an Irish Court of Law. I submit this as another specimen of the Chief Secretary's new order of things in Ireland. The new order of things is, to be cautious about Members of Parliament, for they have friends, and they may possibly do some mischief to the Government in England; but strike at the under men, strike at the humble men, and punish them for the speeches of M.P.'s, if you can get nothing else to punish them for. I venture to say that, bad as was his original policy of striking at us and endeavouring to degrade us, this is an infinitely more cowardly policy. I fervently trust the right hon. Gentleman's calculations as to the impunity with which the Government can attack men like John Kelly will be disappointed as grossly as every other calculation of his has been with reference to Ireland. I appeal to Englishmen to study the facts of this case, believing that if they do so they will resent the treatment of this unfortunate man none the less because he does not happen to be a Member of Parliament, but, on the contrary, will regard with infinitely more indignation and disgust this revolting system by which recourse is had to dodges of this sort to get rid of a political opponent whom the Government dread, and who has never placed himself within the power of the Coercion Law. The Chief Secretary has, as usual, added insult to injury in the case of John Kelly, and in this House stigmatised him as a paid agent engaged in infamous work. The right hon. Gentleman talks of a paid agent! He is a paid agent himself; and he knows in his heart that no single man serves the Government in Ireland except as a paid agent. Mr. John Kelly is no more a paid agent than any right hon. Member who sits on the Benches opposite. He is as respectable a man, and I think he is as able a man as any on the Treasury Benches. He is engaged in a work which he need not blush for, and which will compare favourably with the work in which the Chief Secretary is engaged. I believe we will succeed in spite of every effort to stifle public opinion, that we will get the facts into the English mind, and whatever may be the issue of the Irish Estimates now before the House, I believe whenever the English people get a chance they will express their opinion in regard to cases like that of Mr. John Kelly, and condemn the right hon. Gentleman the Chief Secretary in a rather more straightforward English fashion than that in which even his Removables have condemned Mr. John Kelly.

(10.22.) MR. A. J. BALFOUR: I rather believe that I have heard that oration before, and I am possibly destined to hear it again. It is very good of its kind. And I have nothing to say against it, except that it seems to me like an old familiar friend. With regard to the earlier part of the hon. Member's speech I did not hear it, for I was absent from the House, and was not aware a personal attack was being made on me.

MR. W. O'BRIEN: I shall be happy to repeat it.

MR. A. J. BALFOUR: But with regard to the last part of the speech, I think the Irish Government receive rather hard measure at the hands of their critics. I recollect, during two years of the administration for which I was responsible, that gentlemen opposite, whether above or below the Gangway, filled their speeches with the most violent attacks because I had the audacity to proceed

against the Members of Parliament. It was said to be an insult to the House and to the country. But according to the hon. Gentleman now, the Government did not attack Members of Parliament, and it is construed into a sign of cowardice. It is very difficult to please hon. Gentlemen.

DR. TANNER: You do discriminate.

MR. A. J. BALFOUR: No. The action of the Government, as far as I am responsible, has been perfectly uniform throughout.

MR. E. HARRINGTON (Kerry, W.): Newsvendors, for instance.

MR. A. J. BALFOUR: There has been no distinction drawn, and there ought to be no distinction drawn, between Members of Parliament and others, and when the hon. Member now ornaments his rhetoric with inflated periods and complains of the Government because they do not proceed against him, I think he should do us the justice to recollect the not infrequent occasions on which we have found ourselves with great regret forced to take action against him.

MR. W. O'BRIEN: What I found fault with was that the right hon. Gentleman did not prosecute me for what I said, but did prosecute Mr. John Kelly for it.

MR. A. J. BALFOUR: That is not so. We prosecuted Mr. Kelly for what he did himself—for taking part in a conspiracy of which it is not impossible that the hon. Gentleman was a member. Mr. Kelly was twice imprisoned by the Government of the right hon. Member for Mid Lothian, and twice by the present Government. The hon. Gentleman was very angry with me for having described Mr. Kelly as a paid agent. I admit I have not seen legal proof of it, but if Mr. Kelly has been paid money it neither aggravates nor diminishes the offence of which he was guilty. That offence was the offence of conspiracy. The hon. Member for Aberdeen made a long speech, in which he said that Mr. Kelly might have appealed on the facts of the case, but he chose to appeal on the law of the case to the Court of Exchequer, and he found that the appeal had no basis of law. Why did Mr. Kelly choose to appeal on the law rather than the facts of the case? I credit Mr. Kelly, or his lawyer, with the common sense of choosing the point of appeal which would give him the best chance of getting off. Therefore, I have a right to conclude that, weak as Mr. Kelly's case was in point of law, it was weaker in point of fact. That is a conclusive answer to the hon. Member for Aberdeen. Mr. Kelly did not appeal to the County Court Judge, who is not, in the eloquent phrase of the hon. Gentleman, a lackey of the Government, but as independent as any Judge in England or Scotland, because he was of opinion that the case would have gone against him; but he appealed to the Court of Exchequer. I think I have said enough in dealing with the legal merits of Mr. Kelly's case. It has been asserted during this Debate that the combination of tenants on the Smith-Barry estate is a legal one, and I wish to refer to what the hon. Member for East Mayo has said on that point. No doubt it is perfectly legal for people to determine that they will not pay their rents and will go out of their holdings; but it is not legal to combine to induce people to do that; still less to combine to compel people by intimidation to do that; and my chief, but not my sole, complaint against the action in Tipperary is this—that men who desired to pay their rents, who were able to pay them, and who had an enormous pecuniary stake in their tenancies, were compelled by intimidation, the result of conspiracy, against their will and against their interest, to refuse to pay their rent, and by refusing to sacrifice enormous sums which they had invested in their holdings. That is the illegality of which I complain. I do not complain of any man saying, "I will no longer pay rent; I will go out." If they had done nothing more than that no complaint of illegality would have been heard. It is very well-known that the action in Tipperary has not been action of that kind; but it has been accompanied by intimidation; and those who have had the audacity either to pay rent or to remain in their holdings have had their houses wrecked, have been subjected to intimidation of every sort and kind, and boycotted. It is this

intimidatory accompaniment to the combination on the Smith-Barry estate which has justified the Government in describing it as an illegal combination.

(10.33.) MR. T. M. HEALY (Longford, N.): The right hon. Gentleman the Chief Secretary is weak in his law and still weaker in his facts. I have no doubt the Committee will think it remarkable that the right hon. Gentleman, who boasts that he has at his fingers' ends the facts of all these cases, did not endeavour to enlighten the Committee in the slightest degree as to what was the law or what were the facts of the case on which Mr. John Kelly was convicted. Now, can we imagine, or can the admirers of the right hon. Gentleman, who admit that he never loses a point that by any means will tell in his own favour, can the dullest or most embryonic Conservative intelligence imagine for a moment that if the right hon. Gentleman could show the Committee in what degree Mr. Kelly was guilty he would not have done so? I challenge the right hon. and learned Gentleman the Attorney General for Ireland to deny that Mr. Kelly's offence was that he went round among the tenants, that he drove on an outside car with tenants, that he went into the house of one of them, and after having had a little whisky and water with the wife of the tenant, was heard to say, "The women are stronger for us than the men." It was for that that Mr. Kelly got four months; while yesterday the respectable lady who stole Mr. Stanley's spoons got off with a fortnight. How do they make up the case against Mr. Kelly? On what is it that the Conservatives will by and by go into the Lobby to defend the imprisonment of Mr. Kelly? Six months before, the hon. Member for North-East Cork, at a place 14 miles away, made a speech, for which he was not prosecuted, and because the hon. Member made that speech Mr. Kelly got four months' imprisonment with hard labour, which is as remarkable a problem in black letter law as was ever worked out. This is what the right hon. Gentleman ask Conservative Members to defend. This is odious; but still more so are the means by which hard labour was added. The Chief Secretary spoke of Mr. Kelly being a paid agent. I do not know whether he is a paid agent or not. I am sorry to hear he is not, because no man better deserves to be paid for his services in Ireland than Mr. Kelly. But I will tell the right hon. Gentleman that he has a paid agent on the Bench, one of the briefless barristers named Meldon, whose brother Charlie some hon. Members may remember as having once had a seat in this House. Those who remember Charlie may infer from him what a washed out copy his brother is. Well, this brother had as his colleague a gentleman bearing the warlike name of Waring, who, I believe, is a brother of the not unwarlike Member for North-East Down, who sits opposite. When Mr. Meldon had said, "We will give the defendants four months' imprisonment," he said to his colleague, "Shall we give hard labour?" and Mr. Waring said, "Oh! with hard labour. They are strong chaps." I believe Mr. Waring is as deaf as a post, and therefore did not hear the evidence. The House has heard the attack of the right hon. Gentleman on Mr. Kelly, who, the right hon. Gentleman said, was a paid agent, which is not true; but he did not tell the House that on the day before Mr. Kelly was imprisoned, the day before his appeal was heard by Dr. Webb, the *Freeman's Journal* reported a disgraceful attack on Mr. Kelly made by the right hon. Gentleman. If Irish Members ask a question about a policeman, we are told, "Oh, the case is *sub judice;* it cannot be answered;" but that consideration did not prevent the attack on Mr. Kelly. In the same way, when Mr. M'Henry, the editor of the *Limerick Leader*, appealed to the County Court Judge against a sentence of nine months' hard labour, and the appeal was still pending at the County Court of Limerick, the right hon. Gentleman selected his case as a Press case to vindicate his conduct in attacking newspapers; and the County Court Judge has the report of the speech before him as a finger-post when the appeal comes on. Of course, M'Henry's sentence, like Kelly's, was confirmed by the County Court Judge. I meet those County Court Judges often; many of them are friends of mine. The right hon. Gentleman said they are not

removables; but they are pro-movables, and are the appointees of the right hon. Gentleman, and the County Court Judge of Tipperary is not even yet warm in his seat. By a job the Government got old Wall to retire for the purpose of making Mr. Anderson County Court Judge of Tipperary, so that they might have a strong man. Of course, when a County Court Judge is appointed by a Conservative Administration, he has to do their work; their lives would be miserable if they did not.

MR. A. J. BALFOUR: I rise to order. The hon. and learned Member is making an attack upon County Court Judges, whose salaries are charged on the Consolidated Fund, on the ground that they dare not give verdicts against the Government.

MR. T. M. HEALY: On the question of fact, the right hon. Gentleman is mistaken.

THE CHAIRMAN: The hon. and learned Member is endeavouring to meet the argument which has been used as to there having been no appeal.

MR. A. J. BALFOUR: He is endeavouring to meet that argument by suggesting that justice cannot be done by County Court Judges in Ireland if they have been appointed by the present Government.

THE CHAIRMAN: That, undoubtedly, would be out of order.

MR. T. M. HEALY: I do not want the Chief Secretary to teach me as to questions of order. He and his Party have not achieved such a very brilliant success on questions of order as to entitle him to take that position. I must say to the right hon. Gentleman when he asks us to sit quiet and imitate what he does, that for myself I bear quietly all the attacks of the Chief Secretary, but his manners do not exhibit the repose which "marks the caste of Vere de Vere." I am only saying what I can in defence of the County Court Judges in Ireland. When you get a job, I really think it ought to be accepted with some show of gratitude.

THE CHAIRMAN: Order, order!

MR. T. M. HEALY: Very well, Mr. Courtney. I would like to have said a few words more in defence of these gentlemen. I will pass from that subject, merely observing that when we do come to the Vote, the right hon. Gentleman will find that their salaries are not on the Consolidated Fund, and that their salaries can be discussed like those of ordinary mortals. I was discussing the case of Mr. Kelly from the point of view of appeal, and I will content myself by saying that, taking the gentlemen to whom the appeal has to be made, there is no chance of an appeal on the facts to a County Council Judge going against the Government. There is only one County Court Judge—Judge Waters, of Waterford—who has given an opinion against the Government, and the Chief Secretary has twice in this House made most unfortunate attacks upon that gentleman. So far as the agents and barristers of the Government are concerned, Judge Waters at this moment is a boycotted man.

MR. A. J. BALFOUR: I beg the hon. Gentleman's pardon. I have made no attack on Judge Waters. I have merely stated that twice his decisions were upset by the Superior Courts.

MR. T. M. HEALY: I wonder how often the decisions of the Removables have been upset! I acknowledge the courtesy and benevolence of the Chairman in allowing me to refer to the matter. I think this case of Mr. Kelly forms a perfect type of what is going on in Ireland; and with regard to the right hon. Gentleman's observation that we have not been prosecuted, the point of my hon. Friend was this—"You have given Kelly four months' imprisonment for a speech in respect of which you did not dare to prosecute me." In his airy manner the right hon. Gentleman turns that into a complaint. He says that formerly Irish Members complained that they were prosecuted, and now they complained that they were not. With regard to the statement that intimidation prevails in Tipperary, let me point out that Mr. Kelly was tried on two charges of intimidation and conspiracy, and he was acquitted on the charge of intimidation. Is it not monstrous, therefore, that the right hon. Gentleman should say that intimidation

prevails in Tipperary? I say it is most disingenuous, and we should really have some apology from the right hon. Gentleman. Perhaps the action of the Government in this case will be defended in an epistle from the Member for Dover. I think the Member for Dover has not commented on this case. Really, I would invite him, and even appeal to him, when next he has his fertile pen in his hand, to be good enough to give his attention to and favour us with his views on the case of John Kelly. Perhaps he will defend the action of the Government in imprisoning Mr. John Kelly for four months on account of a speech by the hon. Member for North-East Cork. Bad as Kelly's case was, there is another which shows the character of the justice we may expect to get on appeal. I refer to the case of a man named Ryan, who entered the public house of his cousin, and on seeing a policeman there he said to her, "Are you serving the police," to which she replied, "I wish I had all the policemen's money." Ryan thereupon refused to be served, and he got six months' imprisonment. [*Laughter.*] I do not know what is exciting the sarcastic laughter of the hon. and gallant Gentleman. No doubt we shall hear from him with his 17 quotations in his wallet. Ryan was prosecuted by George Bolton, against whose character I am not going to say a word. He has been attacked by the Judges, and it is of no use treading the beaten path. George Bolton is one of the astute men in the Irish Government. He cares not twopence about law and order; but he cares a great deal about the six-and-eightpences to be gathered in prosecutions. He sets his police for reports just as a setter goes for game. He has no feeling against the person accused; he has no feeling in the matter; he simply makes it a matter of business. I have no feeling whatever against Bolton. I regard him, I may say, with professional awe. Ryan appealed; I think the decision was confirmed, and Ryan is now undergoing six months' hard labour. As to the question of intimidation, I have here the Report of the North Durham Election Petition (*Hardcastle*, p. 158), in which Baron Bramwell, who, of all the Judges who decorate the House of Lords, is the strongest on this question of intimidation and conspiracy, says—

"The more venial crime was the intimidation, which consisted in threatening the voters that they should lose custom if they did not vote in accordance with the wishes of their customers."

That is the opinion of an English Judge in reference to your tenure in this House. It is intimidation of a venial kind when practised against Members of Parliament, but it is punishable with six months' imprisonment in the case of Shaw, who left the beerhouse because policemen were served. Lord Bramwell says—

"I am not sure that it is unlawful."

How do hon. Members like that from one of the English Judges?—

"I am not sure—in fact I am of opinion that it is not actually unlawful."

Yet Ryan is now on a plank bed for what Lord Bramwell declared was not unlawful—

"I suppose it is open to a man to say he does not choose to deal with you, not in accordance with the merits of the commodities you show to him, but according to your politics on one side or the other."

And here is this fatal sentence on the question of conspiracy—

"And I suppose if one man can do this 50 men can do it."

What becomes of your moveable law, your perambulatory law, your law according to Waring and Meldon? You have from one of your strongest and most ironclad Judges this declaration, yet you find the Irish Removable Magistrates giving a man six months' imprisonment because he refused to drink porter in the house of his cousin because she served the police.

THE CHAIRMAN: The hon. and learned Gentleman is travelling outside the Vote in challenging the decisions of Resident Magistrates.

MR. T. M. HEALY: Well, Sir, I challenge the action of the Government, because the Attorney General, I suppose, fiatted these prosecutions. I presume Ryan's case was laid before him, and, that being so, I want to know whether he is not the person mainly responsible, and whether he can with any hardihood maintain that it is a case for six months'

hard labour? The right hon. Gentleman says conspiracy prevails in Tipperary. Where is the conspiracy? Hitherto the great complaint of the Irish landlords and the Irish newspapers has been that the Irish tenants want to eat their cake and have it—to stick to their farms and pay no rents for them—and the *Times* and other English newspapers used to fulminate against their dishonesty, and say that English Trades Unionists did not act in that way, and that when they struck they did not stick to the factory, but went into the streets. But what has happened in the case of the Smith-Barry tenants? They have flung the land and houses at the landlord. They have built a large and commodious mart for their own convenience. [*Laughter.*] Let us not have the loud laugh that speaks the vacant mind. They have built, I say, large and commodious premises for their businesses and for the occupation of the tenants in the neighbourhood. Is that conspiracy? Yes; with the Government everything is conspiracy. It is conspiracy to stick to the land; it is conspiracy to give it up. Why cannot the Smith-Barry tenants go out on the road side if it pleases them? Should not the Government be delighted that these people do not resist the Sheriff? When they do resist the Sheriff it is a terrible crime. We have heard Lord Salisbury and other leaders of the Tory Party declaim about the resistance which has been offered to the Sheriff; we have heard them talk of the necessity for putting up escalading ladders and so forth, and we have heard them say, "Why do not the people act legally and give up their houses peacefully and quietly as the English people do?" And yet when the people do give up their houses peacefully and endeavour to establish themselves elsewhere, we are told that it is conspiracy. That does not please you. In fact, nothing will please you except the punctual payment of rent. That is the only thing the Irish tenants may do and not be sent to gaol for it. All that John Kelly did, I presume, was to go round and advise the tenants to peacefully give up their holdings to the landlord—to recognise the rights of property—to swing the thurible in front of the rights of property, and yet everyone who has given that advice is now lying on a plank bed, or has come out of gaol with his back scored. We have had a Judgment "per Wyndham, C.J." the Chief Justice who sits for Dover. From the nicest point of Sheriffs' law down to the most abstruse point connected with the Land Act, he has given us an opinion we all heard with so much profit. If he would only give us some disquisition on Tipperary, I am sure our minds would be purged from all doubt. I must confess I cannot understand what is exactly the position of Her Majesty's Government. The case of the Gweedore prisoners has been referred to. I cannot enter into that, having been engaged in the case; but leaving aside all questions of law and of merits, I must say it is a strong order to keep a man in gaol, regarding it purely from an Executive point of view, when we find that four Judges were of opinion that he ought to be released, and five Judges—one of them being the Judge whose Judgment was involved—were of opinion that he should be kept in prison.

THE CHAIRMAN: That matter is outside this Vote.

MR. T. M. HEALY: As a matter of law charges, Sir, if it does not arise under this Vote it cannot be discussed at all, as there is no other Vote upon which it can arise.

THE CHAIRMAN: The prisoner is undergoing sentence, and the only way the sentence can be interfered with is by the exercise of the clemency of the Crown. The matter, therefore, would arise under the Vote for the Chief Secretary.

Mr. T. M. HEALY: Then I will not go into that matter. The only other case I will refer to is that of Dennis Connell, a prisoner who was tried four times for murder in Kerry, and I think this case amply illustrates the objectionable manner in which law prosecutions are conducted in Ireland. I am not finding fault with the Government for trying the prisoner four times. It is a strong thing to do; but if the Executive hold a strong opinion of the man's guilt, if the crime has been a particularly barbarous one, I do not say that they are not justified in trying the man four times.

But this is the point of my complaint: two men are arraigned for murder, not an agrarian murder, but one arising out of a family matter. Lawrence Hickey was tried with Dennis Connell, and was convicted and sentenced to be hanged, and was very properly hanged in due course of law. Having hanged one man it might have been thought that they should have paused. But they tried Dennis Connell a second time. Every Catholic was struck off the panel. The third Jury disagreed, a Jury on which no Papist was allowed to sit, the third time Connell was put on his trial, Hickey having been hanged in the meantime. For the fourth time Connell was put on his trial, and for the fourth time the Jury disagreed, a purely Protestant Jury. And now, Mr. Courtney, comes the point of my observations. One man was hanged, and in the same case another man was put on his trial four times.

MR. MADDEN: Three times.

MR. T. M. HEALY: Well, it really does not matter. I am not finding fault on that point, but what happened? This was a case of a family dispute, and there had been an inquiry under the 1st section of the Crimes Act. Who conducted that secret inquiry? Shannon, brother of one of the Shannon's of the *Times*, who went to Maryborough Gaol and administered the illegal oath to Delaney—son of the other Shannon, who was solicitor to the *Times*, and whose practices have in various ways come under the notice of the Court—father and son, a truly worthy pair. The other Shannon was the Resident Magistrate who conducted the secret inquiry. How did Shannon get to be a Magistrate? Simply because he was secretary to Colonel Turner; and will the Committee believe that while Connell was in peril of his life in the dock in Maryborough, the man instructing the Crown Counsel was Shannon, the Resident Magistrate who had conducted the secret inquiry against Connell? In the lowest moments of Instruction in France, I believe the prisoner at the *parquet* has never had the disadvantage of having the *Juge d'Instruction* advising counsel against him. Shannon absolutely recommended that Connell should be put on his trial for the fourth time, and they would have put the man on his trial for the fourth time, but they made a bargain with him *viâ* Shannon, that he should go to America. They put him on the deck of a steamer and shipped him to the United States. Why did Shannon want him prosecuted for the fourth time? Why did Shannon want him hanged? Because Shannon declared—and this shows what is the motive of most of these Crown prosecutions in Ireland—"That if Connell is allowed to go back to Kerry, he will have me shot." [Mr. A. J. BALFOUR: No, he did not.] Of course, the right hon. Gentleman knows. I ask him why was Shannon in the Court Room at Maryborough while this man was tried for his life? What was he doing there? Will the right hon. Gentleman pick me out a case in the whole history of French jurisprudence in which a man, conducting an Instruction, has acted as Shannon acted? When he had finished the Instruction, Shannon's duty was to have remained in Kerry attending to his magisterial functions. Instead of that, you find him for weeks at a time, while these trials were going on, hanging round the purlieus of the Court at Maryborough, and giving his aid to Her Majesty's Government. The prisoner in the dock, a man with a rope round his neck, a man who had heard the fatal bell toll as his co-accused passed out to execution, was supposed to stand with an equal countenance before the jurors, while he saw the Instructing Magistrate giving his aid to those who were trying to take his life. Is that fair-play? Is that honourable dealing? And then, supposing you had not succeded in inducing, by the threat of a fourth trial, Dennis Connell to emigrate to America; supposing he had stood out, and either got an acquittal or a *nolle prosequi* entered for him, would you have expected him to have respected the law? The Courts of Justice ought to be the object lessons of Her Majesty's Government. Justice should be so administered that every man, from the poorest peasant up to the Peer, should see in it something to extol and admire; that

the poorest man, who has had sentence pronounced against him, should feel that the law has been administered fairly; that it should be said as your Attorney General, not of the 19th century, but of the days of Queen Elizabeth—Sir John Davis—said, "No men love to see good and impartial justice more than do the Irish." Never shall I forget the remark an acquitted prisoner made to me. The man he was accused with was sent to penal servitude, and I said to the acquitted, "I am sorry we had no better success." "Ah! well," said he, "he broke the law." There was a feeling in the peasant that when the law had been broken it was right that the sword of justice should have its course. But you expect these men, when they see the law prostituted and degraded by its instruments, to acquiesce with incense in the eulogium of the Chief Secretary, "We have stood up for the weak against the strong; we have acted fairly and justly before all men, and so let our epitaph be written." No doubt Mr. Shannon is to-day descending from his easy chair, and sending someone to the plank bed. This fair and impartial man is now operating as freely and as gamely as ever——

THE CHAIRMAN: Order!

MR. T. M. HEALY: I am only illustrating why we cannot respect the law. Civil justice is as honourably administered in Ireland as in any country in the world. I even think the ordinary civil suitor gets a fairer hearing and more attention from the Judges —I would say more courtesy—than he does in this great and proud land of yours, probably because the Judges have not as much work to do. But when you have once introduced the elements of politics everything connected with decency and justice is exorcised. Take the case of Michael O'Brien, who was charged lately with poisoning his father-in-law by means of rat poison. He was first tried at Waterford. No question of politics or religion was involved, and the Crown made no challenge. The jury disagreed on the question of motive. No motive could be suggested except that O'Brien wanted to get the £10 for which the old man was insured. It was a fair question for disagreement, but what happened? The Crown changed the venue to King's County, and although the Chief Justice declared that no question of politics or religion was involved, the Crown challenged 42 Catholics, and the man was convicted. Is that not an abominable state of affairs? If O'Brien was guilty nobody in the community would have had the slightest sympathy with him. Even the people of the North of Ireland have not pretended that we have any sympathy with the killing of fathers-in-law. Why, then, is it to be declared that a Catholic upon his oath is unworthy of being believed? I mention that case simply for an *à fortiori* purpose. If the Government do this in a case of poisoning a relative, what will they not do when they believe the Crown and the Government are concerned? You deny, forsooth, that there was jury packing in the case of the Gweedore prisoners. I say your whole Government is tainted and poisoned, and instance after instance is brought forward by the Irish Members without finding a rebutter. The misgovernment of Ireland, flowing in a perennial stream, always affords sufficient matter to keep these Debates afloat Session after Session, year after year, Estimates after Estimates, and instead of Her Majesty's Government ministering one palliative to this system, it is maintained by Chief Secretary after Chief Secretary and by Attorney General after Attorney General, and the complaints of the Irish Members fall on unheeding ears. Because of that the Chief Secretary says we ought not to make our complaints; that, in short, we ought to forsake our duty to our constituents. We ought to give up even the satisfaction of uttering our complaints from our dunghill. He would deny us even that principle of representative Government. I say, Sir, that if it were only for the exposure of these wrongs, we should be false to our constituents and to our country if we did not bring them forward. At any rate, we shall have done our duty, and the shame will be upon you if, with these facts before your eyes, you who boast of law and order do nothing to redress our grievances.

(11.30.) The Committee divided:—Ayes 215; Noes 133.—(Div. List, No. 189.)

Resolution to be reported to-morrow.

Committee to sit again to-morrow.

SUPPLY—REPORT.

Resolutions [14th July] reported.

First Resolution (see page 1620) agreed to.

Second Resolution (see page 1643) postponed.

Third Resolution (see page 1679) agreed to.

Fourth Resolution (see page 1679):—

(11.44.) MR. A. O'CONNOR (Donegal, E.): I desire to ask a question which was put yesterday, and not answered. It is, whether it is a fact that the Registrar General in Ireland has communicated to certain gentlemen in Dublin facts known to him officially, with the result that a criminal has been enabled to escape justice, and whether the Government propose to take any notice of his conduct under the Official Secrets Act of last year or otherwise?

(11.45.) MR. T. M. HEALY: I will spare the Government the trouble of rising. I was opposed to the gentlemen who had the benefit of this information, and I do not think it would come within the provisions of the Official Secrets Act. The police had gone to the office, and made a public inquiry before the clerks and everyone else, and all the Registrar General said was that the police were making inquiries.

(11.46.) MR. A. O'CONNOR: I did not ask from a professional point of view at all, but from a public point of view. I beg to ask whether, in consequence of this information being supplied, a criminal was enabled to escape from justice?

MR. A. J. BALFOUR: Nothing that was said yesterday gave me the idea that Dr. Grimshaw had violated the Official Secrets Act. If the hon. Member wishes I will undertake to make particular inquiries.

(11.47.) MR. E. HARRINGTON: I desire to say that my hon. Friend made this charge against the Registrar General last night.

MR. A. J. BALFOUR: I listened to what the hon. Member said, and my own interpretation of his language was that Dr. Grimshaw was not guilty of any offence.

MR. E. HARRINGTON: The question still remains, whether the Registrar General in his official capacity has aided the escape of a criminal? I think the Chief Secretary or the Secretary to the Treasury, who was present last night, might certainly have been prepared with some answer on this particular point. It is always better that matters affecting the disclosure of public documents should be probed to the bottom. I know quite well that in the case of a poor and humble man this matter would be inquired into.

(11.48.) DR. TANNER: I think we are entitled to some answer on this point. It would be better for Dr. Grimshaw as well as for everybody else that, the matter having been brought forward, we should have some opinion expressed by the Government with regard to it.

Resolution agreed to.

Fifth Resolution (see page 1685) agreed to.

Postponed Resolution to be considered to-morrow.

SUPPLY [11TH JULY]—REPORT.

Resolutions read a second time.

Resolution 1 (see page 1492):—

Motion made, and Question proposed, "That this House doth agree with the Committee in the First Resolution."

(11.50.) MR. DILLON: I desire to call attention to certain statements made by the Chief Secretary with reference to matters brought forward frequently in this House. It will be in the recollection of every Member that the Chief Secretary has repeatedly stated that the practice of shadowing is an old practice in Ireland, and that it was resorted to more frequently by the Government which preceded him than by himself. A sudden, swift, and fatal Nemesis overtook the right hon. Gentleman at a trial at Fermoy on Monday last. A man, David Kent, who was being shadowed at Fermoy Fair lately by a constable, was so exasperated that, seeing Sub-Inspector Ball, he proceeded to follow him at a distance of three or four feet. The

Inspector told him he would have him arrested if he did not desist. Kent was arrested, kept in prison six hours, and then released and summoned before a Crimes Act Court, at which, on Monday last, he was charged with obstructing Sub-Inspector Ball in the discharge of his duty. In the course of that trial the Sub-Inspector was cross-examined by the counsel for the defence. He said he had his instructions respecting shadowing from a person whom he was bound to obey. He was made to describe what the practice of shadowing was. He said it was to follow as closely as possible the individual shadowed and to overhear all he said. In reply to further questions, the witness said, "The duty of shadowing commenced about 12 months ago in Ireland." Now, I would like to know what the right hon. Gentleman has to say to that? Is he going to tell us that Sub-Inspector Ball perjured himself, or is he going to stand by his police, and throw his own word overboard? The witness drew a distinction between watching and shadowing. He said habitual criminals in large cities were watched but not shadowed, and that the present state of the country rendered shadowing necessary. That is entirely a matter of opinion. The point is whether the Chief Secretary was mis-informing this House when he stated that shadowing was practised in Ireland before he came into office. Another witness, Constable Burke, deposed that he kept close to the defendant —"nearly treading on his heels." He believed it was very annoying and irritating to anybody who was shadowed, and he believed it might be punitive. There you have a definition of shadowing from the Irish police themselves, and it fully bears out all our statements on the subject. We were told by the Chief Secretary that shadowing was confined to men who were engaged in intimidation. I deny that. I say that the men who are being shadowed have nothing whatever to do with intimidation, and that, as far as we have information from either public or private sources, no individual who has been shadowed recently in Ireland has ever been suspected of or charged with intimidation. I have here a most remarkable and interesting copy of the Private Instructions which are issued from Dublin Castle for the guidance of shadows. These Private Instructions generally manage to fall into our hands. First of all, we have a list showing what classes of persons are to be shadowed. They are divided into Class A and Class B. Class A is the class of people who are to be partly shadowed, and Class B is the class of those who are to be completely shadowed. Then we have columns for county police district, name, residence, height, age, hair, eyes, nose, complexion, whiskers, moustache, beard, and particular marks. But this is not the part of the Circular that is really most interesting and important. I find that these particular instructions were issued with reference to the collection of the Tenants' Defence Fund, and that the people ordered to be shadowed are the collectors engaged in collecting funds for feeding and housing the evicted tenants all over the country. This Circular had reference to a district absolutely free, and free for months and years, from intimidation or crime of any kind whatever. Here are other directions applicable to those persons who are engaged in making collections for the Tenants' Defence Fund. The police are to furnish—

> "Names, occupations, and addresses of the parties who may be appointed to collect subscriptions in every parish. Their names are to be at once furnished if known; if not known at present a close watch should be kept, so as to ascertain what men may be appointed to go round and levy the 3d. rate."

This is a voluntary rate; is it a crime to make such collections?

> "The names of any person appointed to levy the tax and who are likely to use intimidation against persons not wishing to pay, should be specially reported at once, together with address and occupation. A close inquiry as to how the resolution levying the 3d. tax has been received by the farmers, whether they are likely to willingly pay it. If it is likely they will resist the imposition or yield to pressure and intimidation, collectors are to be shadowed discreetly. But if they use intimidation, or are likely to do so, they are to be shadowed openly."

Now, I should like to know how the knowledge of such a Police Circular would be received if issued in England? What would be the tone and temper displayed in such a case? Then we have a long series of directions in regard to people who are to be shadowed—

"In every instance in which a suspect in the general A list is shadowed a Report should be made by post without delay direct to the Inspector General by the District Inspector of the locality, who should briefly state what the suspect is doing and on what business employed, if known, and a duplicate Report sent to the Divisional Commissioner through the County Inspector. As regards the B list, persons named therein should be watched and wired after when they leave, and a Report of the same kind as is required in the A list sent to the Divisional Commissioners through the County Inspector as early as possible. The arrival of suspects in both the A and B lists should be notified to the Divisional Commissioner by wire. Members of Parliament leaving the country need not be wired after beyond the port of embarkation."

We are grateful to the right hon. Gentleman for this. It seems that, when once we take our departure from Ireland, the "shadowing" and the wiring of our movements is to cease. But is not this an outrageous, a monstrous system of espionage to which Members who do not sit under the protecting wing of the hon. Member for North Armagh should be subjected, and from which we are only relieved at the port of embarkation when we leave Ireland? Then we have instructions as to persons on a C list. Is this not like an account of the "third section" under Russian administration? As to this C list, the police are to report anything of a suspicious nature in relation to the persons therein to the Divisional Commissioners or County Inspector. I suppose that, seeing that lists A and B include Members of Parliament, and all active politicians opposed to the Government, this C list includes all the rest of the population of Ireland. This, then, is the system which prevails in Ireland! The whole country is divided for police purposes into A, B, and C lists. Is it not a scandalous, a disgraceful system, thus to turn the whole country into a gaol? All this in spite of the repeated disclaimers of the Chief Secretary. We have it on oath in the evidence of the police that this system of "shadowing" is new, that it was never known before it was introduced some 12 months ago. So much in answer to the right hon. Gentleman's declarations on the practice of "shadowing." There is one other matter to which I must allude, a matter of almost equal importance. A system has arisen in the House, introduced by the friends of the right hon. Gentleman, of putting down questions addressed to him embodying an account of any outrage that may come under their notice as having been perpetrated in Ireland, and then the Chief Secretary answers that the report is correct. I only wonder we have not had incorporated in a question the report which appeared in yesterday's *Express* of a dairymaid in Tipperary being stripped of her clothes and sent home stark naked as a mark of being obnoxious to Nationalists, but I suppose due warning was given of the falsity of the report. Every effort is made by means of these outrage questions to blacken our cause in the eyes of the people of this country. A few days ago, the Chief Secretary was asked by the hon. Member for South Tyrone (Mr. T. W. Russell) whether it was true that a man had been caught in the act of throwing an explosive machine into the house of a boycotted shopkeeper in Tipperary named Gubbins, and the right hon. Gentleman in reply said the report was true. Then my hon. Friend (Mr. Sheehy) rose and asked was there any shopkeeper in Tipperary of the name of Gubbins. It is beyond question that the name given was Gubbins, and the Chief Secretary insisted upon the truth of the statement. Now what are the actual facts? Mr. Gubbins is not a shopkeeper in the Town of Tipperary, but a farmer in the Parish of Oola, in the County of Limerick. It is true that on the 20th June two explosive bombs filled with gunpowder and cut wire were thrown into the house of Mr. Gubbins, one into the bedroom of the farmer, the other into the room where his children were sleeping. Fortunately, no injury was done. When inquiry came to be made it transpired that this could not have been an outrage committed by a member of the Nationalist Party, seeing that Mr. Gubbins is an active member of the Committee of the National League in this Parish of Oola, and it transpired that on a certain occasion he had taken part in a resolution passed by the committee by which a man named John Rafferty, of Cullen, was condemned for his conduct in having traded with a notorious land grabber named Ryan. Rafferty was condemned by the association, but,

prepared as I am for cheers from hon. Members on strange occasions, I do not suppose that on this occasion they are meant to indicate that Rafferty was justified in throwing explosive bombs into the house of Mr. Gubbins. But that is what he did. On investigation it appeared that this emergency man Rafferty had thrown the bombs into the bedrooms of Mr. Gubbins in revenge for the part the latter had taken in the passing of the resolution I have referred to. For this abominable outrage Rafferty was arrested by the police. What expressions of horror there would have been on the opposite Benches if this outrage had been perpetrated upon a so-called Loyalist! Well, Rafferty was arrested and evidence brought sufficient for the Magistrate to commit him for trial, but, if you please, he is out on bail! Out on bail after throwing an infernal machine into a room where children were sleeping! Now, where is your law and justice? Now we see how the people of Ireland and their good name are traduced in this House. This abominable outrage was committed by one of the supporters of the party of law and order upon a member of the Nationalist Party, it has nothing to do with the movement in Tipperary, and as an outrage there it did not occur at all. And then the Magistrate deliberately releases the accused on bail. Why, if he had been a Nationalist all the money in Ireland would not have bailed him, and I will go further and say it should not have bailed him. Our movement in Tipperary has, I am glad to say, been attended with no serious outrage on the part of our people. There were some attempts at outrage in the earlier days of the struggle, and we condemned those attempts, and did our utmost to check them. They were attempts against property, not against life. There was no such abominable outrage as throwing an explosive bomb into a room with sleeping children. Why, if this had been done by a Nationalist or by any drunken rowdy whom you could by any cruel misrepresentation hold up to the people of this country as a Nationalist, the whole Press of England would have rung with horror and condemnation. But now we hear not a word of condemnation or indignation on those Benches because the man who suffered the outrage was a Nationalist. ["Not true."] Well, I shall be perfectly willing to withdraw what I have said and apologise if it can be shown to be untrue, but I speak from the best information I have, and I believe it is reliable. Here are two specimens of the impartiality of Irish administration. We had a question the other day in reference to a poor Irish farmer who was arrested at a cattle fair on a charge of assisting at boycotting, nothing in the nature of intimidation, but simply recommending persons not to deal with certain other persons. On this charge he was dragged to Cork Gaol, bail being refused. Side by side with this, here you have a man employed by the landlord class who comes at night and throws an explosive bomb into a room where there are sleeping children, and he is bailed out! I leave the House to consider these examples of impartial administration without further comment.

(12.15.) Mr. P. J. POWER (Waterford, E.): In reference to this system of "shadowing," which the Chief Secretary says, though it is contradicted by his own police, he found in existence, and that it had been exercised by his predecessors, I wish to draw attention to what occurred within my personal experience and in my own constituency. I had reason to attend the December fair at Waterford to buy store cattle, and as I went I met a young man named Farden, and knowing him to be a good judge of cattle I entered into conversation with him and asked him his opinion on cattle before us. Immediately a policeman came up and stood listening to every word we said. We walked along and looked at other cattle, and the constable followed and listened as before. Turning to him I asked the object of this, and he replied that he was under orders from his superior officer to follow Farden and hear every word he said in the fair. We went about and looked at various cattle, and I bought a few. Thence, having some purchases to make, we went into shops in the town, still followed by the constable. Finally, we went to the National Bank, whither the constable followed, and remained standing by while I transacted my business. Afterwards I took occasion to see the mana-

ger of the bank, and I told him that if the bank authorities allowed their premises to be used in this manner by police spies the matter should be made known, and my constituents would know how to deal with it. In the result Mr. Prosser waited upon the authorities, and the bank managers have set their face against the practice, and refuse to allow constables to interfere with the private business of their clients. We hear much about this system having long prevailed in Scotland, but I defy the right hon. Gentleman to prove that any such system was in vogue under the administration of Lord Spencer and the right hon. Baronet the Member for the Bridgeton Division. We fought them for what they did do, and we should do so again in like circumstances; but I emphatically deny that this system of shadowing was practised when Lord Spencer ruled Ireland under a Coercion Act. It is a novel expedient introduced by the right hon. Gentleman the present Chief Secretary; and we have it on the evidence of his own subordinates that it has come in under his own beneficent rule. You complain of want of respect for order, and demand obedience to the law, and law and order are conditions of every civilised community. We are as anxious as you can be that law and order should prevail in Ireland; but if the law is to be respected and obeyed it must be worthy of respect. I hope the House will not think me egotistical in this personal allusion I have made. I simply give my own experience, that Members may realise the actual condition of things under this system of shadowing.

(12.20.) Mr. J. O'CONNOR (Tipperary, S.): It may tend to shorten discussion if before the right hon. Gentleman replies he has the full statement of our case. My hon. Friend has given his personal experience, but I suppose the Chief Secretary will discount that statement as coming from an Irish Member, and we know he sets up the word of his agents against that of any Member on these Benches, no matter how supported or corroborated. We have more ground to go upon when we charge the Chief Secretary and his lieutenant the Attorney General for Ireland with giving answers to our questions which are calculated wittingly or unwittingly to mislead the House. I put a question the other day to the right hon. Gentleman, to which, he being absent, the Attorney General replied, giving me the answer I suppose I should have received from the Chief Secretary himself had he been here. I asked for information upon facts I put in question form, whether a meeting of the suppressed branch of the National League took place on Sunday fortnight; whether 500 or 600 men marched from the place of meeting into the town of Tipperary in order to demonstrate the fact that a meeting did take place? The Attorney General replied that no such meeting had occurred, that 500 or 600 people did not march into Tipperary as stated, and this answer was given with all the assurance of official information. Then I read in my newspaper the report of proceedings in which a noble Lord in another place made an attack upon Lord Spencer, and I found that the attack was based on the fact of that meeting having been held, and citations were made from a speech delivered there. Which are we to believe? Either Lord Londonderry stated a falsehood in another place, or else the statement made from that Bench in answer to my question was inaccurate, and based on false information. It is one of the usual modes of attack by the Government on those who sit opposite to them to say, "You did likewise when in office," and this was the whole burden of the noble Lord's speech, but I think it is time for someone to say, from his own knowledge, as I do, that there is no comparison between the state of things in Ireland now and the state of things under the *régime* of Lord Spencer and the right hon. Gentleman the Member for the Bridgeton Division. I know what occurred. I know there was crime all over the country, but I know that, while Lord Spencer sought to grapple with crime, liberty was restored to the people at the same time. The right of public meeting was restored, and the National League grew up under the *régime* of the noble Lord, and I know that the Government then tried to steer an even keel, and treated Orangemen in the North

with the same severity as Nationalists in the South. Now, I wish to draw attention to another statement of the Chief Secretary. I forget now whether it was in debate or in answer to a question in reference to the state of Tipperary. The right hon. Gentleman said that a meeting which we declared had taken place there did not take place at all. We stated that the meeting held at the opening of New Tipperary took place out of doors, but the Chief Secretary said if it took place at all it took place under a roof, and not in the open. Now, I know the Chief Secretary will prefer to accept his official information to our statements. But here I have further evidence. Photography does not lie, and here I hold in my hand two photographs, one of the exterior of the building where there are four persons only, and here I have a photograph of the exterior, where in the open air thousands of people are represented, and a platform erected, and speakers addressing the people. Then, I say the statement made from that Bench was calculated to mislead. The Chief Secretary said no open air meeting took place ; here is a photograph of the scene of the meeting with all the accompani ments of a public meeting in the open air. If hon. Gentlemen opposite have any doubts as to the genuineness of these photographs, I should be happy to submit them to inspection. I have brought them here for the purpose of showing the House that, day after day, in answer to our questions, we get statements from the Chief Secretary inconsistent with the facts, and calculated to mislead the House, and I think this is a proper opportunity to bring this under the notice of the House.

(12.30.) MR. A. J. BALFOUR: I have spoken several times to-night, and I will, therefore, now make my remarks as short as I can. The hon. Gentleman has brought forward two cases, which he states are instances of inaccuracies on the part of the Irish Government. The first relates to an answer given by the Attorney General for Ireland, on my behalf, denying that there had been an open-air meeting at Tipperary on a certain occasion, and the hon. Member contended that that statement was shown to be inaccurate by the fact that Lord Londonderry recently quoted from a speech alleged to have been delivered at that meeting by Father Humphrey. But that is no ground whatever for supposing that the police were wrong in the Report they made that no open-air meeting took place. The reports of alleged meetings of suppressed branches of the National League are continually appearing in certain newspapers, though no such meetings occur at all. But in regard to this instance, I admit that I rather over-stated the facts. It is true that an open-air meeting was held, but this was no part of the original programme that the authorities had to deal with.

MR. J. O'CONNOR: It was the principal event of the day.

MR. A. J. BALFOUR: I am inclined to believe from my general knowledge of human nature that the banquet was the principal event. Next, the hon. Member for East Waterford has referred to a case of shadowing that came under his notice. But I am not concerned to deny any of the facts stated by the hon. Member. I do not deny that the Irish Government direct shadowing. On the contrary, we openly avow that shadowing is a part of our policy to which we attach great importance. As to whether shadowing the boycotters at fairs is justifiable or not is another question, and one upon which I have already addressed the House. I have told the House that, in my opinion, it is the only way of protecting these poor boycotted people. If we permit such boycotting, it means practically a sentence of death on every man who holds a boycotted farm. Under the circumstances I consider shadowing perfectly justifiable, and, as far as I am concerned, it will continue. It is to be noticed that the boycotters also shadowed the boycotted person, and the only difference between the action of the police and of the boycotters is that the one has an innocent motive and the latter a criminal intention. Then, reference has been made to a case at Fermoy, in which it is alleged that the constable stated that this duty he had been on was new within the last 12 months. It is not denied that the shadowing of boycotters at fairs is new. But Lord

Spencer had not to deal with boycotting at fairs; that class of crime did not exist then. I do unhesitatingly assert that Lord Spencer's Government did not hesitate to shadow individuals who were suspected of crime, intimidation, or boycotting.

MR. DILLON: I wish to make my point clear. The Inspector swore that shadowing was unknown in Ireland till within the last year, and in his evidence a distinction was drawn between "shadowing" and "watching." Lord Spencer had persons suspected of crime watched, but he did not have them shadowed.

MR. A. J. BALFOUR: I think it will be found, on reference to *Hansard*, that shadowing of a most rigid character was practised under Lord Spencer's administration. The character of the "watching" by the police differs with the character of the persons watched and the offence to prevent which they are watched. If the person watched is suspected of organising boycotting it is absolutely necessary, in order to prevent that particular offence being committed, that he should be followed closely—shadowed, as it is termed—to prevent him from carrying out the crime of boycotting.

MR. DILLON: I understand the right hon. Gentleman to admit now that what he considers absolutely necessary is a new departure.

MR. A. J. BALFOUR: I say that boycotting at fairs is new, and there was, consequently, till it came up, no necessity to shadow people at fairs. But Lord Spencer's Government, and every Government, have always shadowed and watched such persons as in the interest of public order they thought necessary. The hon. Gentleman proceeded next to discuss some inaccuracy of which he said I was guilty in answer to a question of the hon. Member for South Tyrone. I am sorry the hon. Member for South Tyrone is not in his place; if he were he would have told the hon. Member that the person about whom he asked was Duggan, not Gubbins. Duggan was the only person in the mind of my hon. Friend and myself, and with regard to him the answer was perfectly accurate. I can only say with regard to this particular case I am sorry that the hon. Member should always speak of a particular instrument when used by his own Party as a squib, but when used by others, as a bomb, or an infernal machine. The latter description is, no doubt, the more accurate, but I hope that in both the cases of Duggan and Gubbins the real authors of these iniquitous outrages will be brought to justice.

(1.45.) MR. JOICEY (Durham, Chester-le-Street): I was looking for a much stronger defence from the right hon. Gentleman of this abominable method which is known by the name of shadowing. I had occasion to visit Ireland two or three months ago, and I had some personal experience of the system. I went to Tipperary to see the place which has created so much interest during the last few months, and I stayed at the best hotel. While I was at breakfast I happened to state that I intended to walk through the town, and a gentleman whom I met there offered to accompany me, but we had hardly gone 20 yards from the hotel when a policeman came so close to us that he might be taken as one of the party, and walked by our side, so that he could hear every word. I was naturally somewhat surprised, and was anxious to know whether I or my companion was thus being shadowed. I found that it was my companion who was shadowed. Whatever the Chief Secretary may say, this was a mean and contemptible method of causing irritation and annoyance. There was no need whatever that the policeman should walk by our side. It was done only to irritate, and was likely to cause a breach of the peace rather than to promote order. If a policeman was to walk in the same way by my side in my own constituency it would certainly lead to a breach of the peace. Trade Unions and their leaders in this country would not submit to such a thing, and I am satisfied that the Government would not attempt it in England. I met a friend in Tipperary who is a Magistrate of the County of Durham, and has been High Sheriff. That gentleman happened to be in the town when the meeting was held at which the hon. Member for East Mayo attended, and in a letter he gave an account of what he

saw at the time. The letter speaks for itself. The writer says—

"I saw a policeman run after a poor man who was quietly walking across the square by himself, and on overtaking him he seized him by the coat collar, struck him over the face with his baton, fetching blood, and the man dropped down. There was no attempt at aggression or self-defence. The man was suddenly seized and knocked down while walking quietly, and some people were running up to see what was doing, when my car drove away out of sight. My daughter was with me. I was twice driven back into the new Mart by the police, whilst I was quietly talking to a friend, and my daughter was also driven back and told to go or they would have their heads broken. During the whole of the day I saw no obstruction or any breaches of the peace, except those for which members of the Constabulary were themselves responsible. The statement that Mr. Dillon made in the House of Commons is correct in every word."

These facts speak for themselves. They show clearly that the Irish Constabulary abuse their powers. If the Government will grant an inquiry into these events, my friends, I feel sure, will unhesitatingly come forward to give evidence. I hope that even now the right hon. Gentleman will consent to such an inquiry being held.

*(12.52.) Mr. WOODALL: During the evening a discussion has arisen with regard to the trial of the Gweedore prisoners at Maryborough. There were some circumstances which seemed to the English visitors so exceptional as to call for a special appeal to the Lord Lieutenant, to advise that the clemency of the Crown should be exercised in the case of William Coll. As the Chief Secretary is aware, a Memorial was sent to the Lord Lieutenant of Ireland, signed by the visitors present, praying that the clemency of the Crown might be exercised in favour of the prisoner. This Memorial, I regret to say, had no effect on the Lord Lieutenant. The special points to which the Memorial drew attention were certain parts of the evidence of Constable Varilly, which, I hold, ought not to have been admitted, and the Judge and Jury's disregard of the evidence of most respectable and impartial men who were present to prove an *alibi*. I say, again, that the circumstances seem to call for a re-investigation. If I wanted any vindication for this appeal, I think I could find it in the action of the right hon. Gentleman opposite in connection with the Maamtrasna case.

*(12.56.) Mr. MADDEN: No doubt the Lord Lieutenant will carefully consider any Memorial or representation made to him in a proper manner. The only point as to which there was a point reserved, and a difference of opinion among the Judges, was as to admissibility of questions founded on a deposition made by Constable Varilly. This deposition the learned Judge, actuated by merciful motives, did not admit, because he thought it might contain certain statements prejudicial to the prisoner. He allowed specific questions, based upon that deposition, to be put, his desire being to prevent the whole of the depositions from being made evidence and so to protect the prisoner. The minority of the Judges considered this to be an irregularity, and that is the utmost that can be said on the point.

(12.59.) Colonel NOLAN (Galway, N.): I wish to call attention to the case of Mr. Nally who, seven or eight years ago, was sentenced to penal servitude for 10 years, and as to whom there is a strong opinion among people who do not hold the same political opinions as myself that he was not guilty of the crime alleged against him. The crime with which he was charged was an atrocious one, and I would not seek to palliate it did I believe he was guilty. I think the case is one in which the Lord Lieutenant ought to interpose. Nally was kept 10 months in prison before he was brought to trial and convicted. He was tried by a jury in Cork, and the jury disagreed. There was an application for bail in Dublin pending a new trial. This application was refused I believe, and the Judge at the trial, when he delivered sentence, made the declaration that the 10 months during which Nally had been imprisoned between his arrest and trial would be considered in his term of penal servitude. The father of Nally is a very old man, and unless the Government extend some grace in this matter it is probable that Nally will never again see his father alive. The point I wish to put is that the 10 months during which Nally was in prison before his trial and conviction ought to be counted in the working out of his sentence. I hope the Government

will make some reply to this, and I trust that it will be favourable.

(1.3.) MR. HALLEY STEWART (Lincolnshire, Spalding): I ask the attention of the House for a few moments; a few sentences will be sufficient. I wish to point out to the Chief Secretary the serious state of affairs in Ireland, and I will confine my observations strictly to a narration of my own experience in that country. When hon. Members have heard me, I think they will admit that I have a fair case to submit to the House. I, in company with my wife and another lady, and several Irish Members, left the town of Cashel at 9 o'clock on my way to Tipperary. Our car was followed by four drunken policemen, who drove their horse into our waggonette. They had loaded revolvers in their possession, and they showed their loyalty to the Chief Secretary and to the Government by singing the Fenian song "When we at the rising of the moon." These are the champions of law and order. They say that drunken men and children tell the truth. Perhaps this shows the sympathy of the Royal Irish Constabulary with Home Rule; it is not improbable. We needed protection against the excess of the Constabulary, and we stopped at the first police station we came to. I am sorry to say that we had to call the Inspector out of bed, and I asked him if he would defend us against the only ruffianism of which we were afraid, and that was the ruffianism of these drunken policemen. We could get no redress from the Inspector for this reason—it had never occurred to me that we were not under protection—that these policemen were not in his district, and that he had no jurisdiction. It seems to me that Englishmen travelling in Ireland have as much right to protection against a drunken policeman as against a drunken civilian. Is there not to be some safeguard and assurance given that the rights of civilians to protection will be maintained against these men who are supposed to be the champions of law and order? While I was gone to the police station these drunken men surrounded the waggonette, in which my wife and another lady were left under the protection and safeguard of the Irish gentlemen, and these drunken men used words which I hardly like to repeat to the House. They called the party a "damn'd set of loafers." That is what ladies and gentlemen in Ireland are subject to. Is there a village or town in England where such a state of things would be tolerated, or where the police would offer such insults to men and to women? I ask the House to consider this state of things. The right hon. Gentleman informed me, in reply to questions, that the Inspector had been degraded in rank, and one of the constables fined. No redress was given in the case of the other two. I was told that I could resort to process at law. But it is quite impossible to go over to Ireland to see justice done in a matter like this. I ask the House to consider the terrible state of things in Ireland, and the protection which is vouchsafed by the Chief Secretary to these people, who feel that they can, without fear of being reproved or having their rights interfered with, go on persecuting Irishmen and Englishmen. I do not complain that I was shadowed; I have not the slightest doubt it was the Irish gentlemen with me who were shadowed. I do think that if hon. Members opposite would go to Ireland *incognito*, and share, as have certain English Liberals, the sympathies and wretchedness of the Irish people, and see what they are subject to at the hands of the Irish police they would see to it that, before the Chief Secretary had the Vote of his salary, he brought this system of the Irish Constabulary to an end.

(1.12.) MR. SHEEHY (Galway, S.): I wish to offer a few remarks on the case of Mr. Nally. None of us would ask for any favour from the Government for Mr. Nally, but we have a right to claim that on the ground of justice he should be released. He spent 10 months in custody before his sentence, and as he received the maximum sentence that 10 months ought to be taken as part of the sentence, in which case he is now entitled to his release.

MR. A. J. BALFOUR: I have no right to speak again, but I will assure the hon. Member that if the case turns out as has been represented the matter shall be brought before the Lord Lieutenant.

Mr. BRUNNER (Cheshire, Northwich): I think the case brought forward by the hon. Member for Durham is one on which we ought to insist on an inquiry. That case having been put forth on the authority of an ex-Sheriff and Magistrate of Durham, it ought not to be passed over in silence.

Dr. TANNER: I only wish to call attention to the facts which came under my personal cognisance last year. Two English ladies, one of them the wife of an eminent Judge in this country, and both ladies of position, happened to be in Cork, where I called upon them and showed them round the city. They were Catholics, I being a Protestant. They went inside a Catholic place of worship, and found policemen stationed at the door, where they waited till they came out. The police followed us round from place to place in the same mean, low, and despicable manner as has been proved in the cases of shadowing that have come before us. I know what the Chief Secretary wants. He wants people to hit out in order that they may put themselves within the meshes of the law. I sincerely hope our people will not do this, but will continue to have confidence in the sense of justice of the English people, and the leaders of the English people, who will soon sit on that side of the House.

Mr. SEXTON (Belfast, W.): May I be allowed to say a word upon the case of Mr. Nally, which has been brought forward by my hon. Friend. He was convicted on the evidence of a paid informer, named Colan, a person of infamous character. The impression in the district is that Nally was innocent of the crime charged against him, and also that he was the means in that district of preventing crime and outrage, and even of saving life. Between his arrest and conviction the extraordinary period of 10 months elapsed, during the whole of which period he was kept in custody. He has conducted himself so well in prison, that he has reached and maintained the first class for good conduct, and has never incurred the loss of a good conduct mark. If his good conduct marks are added together, and his 10 months' imprisonment before sentence were taken into account, he would have nearly served his full term of 10 years. I think that special weight should be given to his previous imprisonment. I have only to add that while Nally will not abase himself by making any appeal to the Government, he has a very aged father, who is in bad health and whose life cannot be much further prolonged. Under these circumstances, I think it would be a graceful act if the Government would consent to release Nally without further detention.

Mr. A. J. BALFOUR: The matter shall be carefully considered.

Question put, and agreed to.

Second Resolution (see page 1524) agreed to.

PUBLIC EXPENDITURE.

Return ordered—

"Of Public Expenditure (Exchequer Issues), Charges on Taxes, for each year 1857-8 to 1889-90 (in continuation of Parliamentary Paper, No. 294, of Session, 1889)."—(*Mr. Childers.*)

ECCLESIASTICAL ASSESSMENTS (SCOTLAND) BILL.—(No. 48)

Order for Second Reading read, and discharged.

Bill withdrawn.

POOR RELIEF (ENGLAND AND WALES.)

Return ordered—

"Of Statement of the amount expended for In-Maintenance and Out-Door Relief in England and Wales during the year ended Lady Day, 1890."

"And similar Statement for the half-year ended Michaelmas, 1890."—(*Mr. Long.*)

Return presented accordingly; to lie upon the Table, and to be printed. [No. 303.]

It being after One of the clock, Mr. Speaker adjourned the House without Question put.

House adjourned at half after One o'clock.

HOUSE OF COMMONS,

Wednesday, 16th July, 1890.

ORDERS OF THE DAY.

SUPPLY—CIVIL SERVICE ESTIMATES, 1890-91.

Considered in Committee.

(In the Committee.)

CLASS III.

1. £80,099, to complete the sum for Supreme Court of Judicature and other Legal Departments in Ireland.

(12.30.) MR. D. CRAWFORD (Lanark, N.E.): I beg to move that the Vote be reduced by the sum of £50,000. I feel very strongly that there are many other Members in this House who are better qualified to criticise this Vote than I am. But I look upon the question as a large question of principle, and I think that while in almost every other Department of the expenditure of public money we have, after considerable efforts and prolonged struggles, attained something like purity in principle, we have arrived in the expenditure connected with the judicature of Ireland at a very large and gross misapplication of the public money. That is the reason why I venture to propose the reduction of the Vote. I do not propose to enter into the subject in great detail; but I would venture to hope that some Member of the House who is better acquainted with the legal business of Ireland will supplement the statement I desire to make. In the first place, I should like to compare the figures for this expenditure in Ireland with those for the same purpose in England and Scotland. The Vote is one for £85,000, exclusive of £10,000 for the Court of Bankruptcy. In England the whole expenditure for the Supreme Court of Judicature amounts to £390,000, and I am not at all sure that I am not entitled to deduct from that the large sum of £42,000 applicable to the District Probate Registry in order to make a fair comparison. But, supposing that I do not make that reduction, the Supreme Court in England costs £390,000, while in Ireland, including the Court of Bankruptcy and a small sum for the Admiralty Court, we have a sum of £97,000. Consequently, the Supreme Court of Ireland costs one-fourth of what it does in England. The comparison with Scotland is even more instructive. The population of the two countries is much nearer—that of Scotland being 4,000,000, while the last estimate for Ireland was 4,700,000. In Scotland, making a somewhat liberal estimate as towhat is to be included in this expenditure, I find that the Supreme Court, civil and criminal, costs £25,400, against £97,000 in Ireland, so that the cost in Ireland is one-fourth of what it is in England, and nearly four times as much as in Scotland. There is absolutely no justification for this difference, and it is not only a wasteful, but it is an improper expenditure of the public money. It is true that this is not the first time the subject has been brought before the House, although I do not think the issue has been raised for a considerable number of years, nor, as far as I am aware, has it been directly raised on the Estimates in the way in which I propose to raise it on the present occasion. There was, however, an important discussion upon the subject in 1877, when the Supreme Court of Judicature (Ireland) Bill was passing through the House, and no motive of false patriotism prevented the most representative men who were sent here by the Irish constituencies from being the foremost to denounce this improvident expenditure in Ireland. I need not say that, for my part, I do not grudge the money to Ireland. It is said that Ireland is too heavily taxed, and that we are not too liberal in dealing with her in regard to money questions. Upon that matter I express no opinion, although considerable countenance has been given by eminent authorities in this island and in this House to the contention of Irish Members on that point. It is not because we grudge the money, but because we say that it is wastefully, improperly, and mischievously spent. Referring to the Debate which occurred in 1877, I find that it is somewhat difficult to separate the expenditure upon the staff of the Court from the salaries of the Judges, although the salaries themselves do not come upon the Vote, but upon the Consolidated Fund. In the Debate of 1877 the two subjects were a great deal mixed up together, and I find that, on

the 22nd of June, the hon. Member for Cork (Mr. Parnell) stated that it was true the salaries of the Irish Judges were 40 or 45 per cent. less than those paid to the English Judges; but, independently of that circumstance, regard should be had to the fact that the emoluments earned by the profession and by Irish barristers were very much less than those of the English Bar. Very few earned more than from £1,500 to £2,000 a year; whereas the salaries of the Irish Judges were nearly as high as those of the members of the English Bench. [*Cries of* "Order!"] If I am irregular the Chairman will call me to order.

THE CHAIRMAN: It was perfectly in order to discuss the salaries of the Judges on the Second Reading of the Supreme Court of Judicature Bill, but it would be out of order to enter into that question now.

MR. D. CRAWFORD: Then I will not enter into it. I will confine myself to a quotation from the speech of Mr. Sullivan, in which the salaries of the Irish Judges are only incidentally alluded to. Mr. Sullivan pointed out that in Ireland the salaries of the Judges are nearly twice as large as the average emoluments of a barrister practising in his profession, and therefore the main object of a man who went to the Bar was to find his way to the Bench. He added that the Irish legal appointments, large and small, were so numerous that there was one for every three or four men who went to the Bar. Again and again, in the course of the Debate in 1877, Irish Members of the highest authority, such as the hon. Member for Cork, spoke of the corrupt influence of the expenditure upon the Legal Profession in Ireland. That is the real reason why I think it is the duty of Members on this side of the Irish Channel to take notice of this expenditure, which it would have been well if some previous Government long before now had had the courage to grapple with, because it is not a legitimate expenditure, or an expenditure that can be defended as being made for any legitimate purpose, or for the remuneration of actual work. When I point out that the establishment in Ireland costs one-fourth of that in England, and four times as much as that in Scotland, I think that I fairly put the right hon. Gentleman opposite upon his defence, in order to show why there should be this extravagant disproportion. I wish that I were at liberty to go into the question of the salaries of the Judges, and especially that of the Lord Chancellor, which is a most monstrous expenditure. Look at the wealth and the population of the three countries. The population of Ireland is 4,700,000; of Scotland 4,000,000; and of England 29,000,000. The amount of property assessed to the Income Tax in England is £542,000,000; in Scotland £57,000,000; and in Ireland only £36,000,000; and the number of legal appointments worth £1,000, without taking into account the salaries of the Judges are, in Ireland altogether out of proportion, as compared with England and Scotland, to its wealth and population. I submit that many of these appointments are altogether unnecessary and extravagant, and I maintain that they constitute a very serious public evil. It is well-known that the Government of this country is hostile to the feelings of the Irish people; but even supposing that it were not so, such a state of things, which places in the hands of the Government nearly £100,000 a year to distribute among the Legal Profession, and to place it under obligations, is an evil which calls for a remedy. At least one-half of the expenditure upon legal work in Ireland is, in my opinion, unnecessary, so that Parliament is giving to the Government £50,000 a year to be distributed in the shape of bribery. I entirely object to such a system, and I hope to hear what the defence of it is. Before I had the honour of a seat in this House it was once my business to apply to the Treasury for a sum of money for an important public purpose in Scotland, and I represented to the Secretary to the Treasury of that day, as one plea for getting the money, the extravagant expenditure on the judiciary and judicature in Ireland. The somewhat oracular reply I got was this: "In Ireland we purchase peace." I was there with my hat in my hand seeking money for my own country, and I did not venture to make a reply to that somewhat sententious delivery, but I felt at the time that if the money was expended in purchasing peace we had made a very bad bargain. I shall be very much astonished, however, if the right hon. Gentleman tells us now that

it is for the sake of purchasing peace that we pay out of the purse of this country £100,000 a year, instead of £50,000, to provide for the legal establishments of Ireland. I beg to move the reduction of the Vote by the sum of £50,000.

Motion made, and Question proposed, "That this Vote be reduced by £50,000." —(*Mr. Donald Crawford.*)

(12.50.) THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The hon. Member has complained of the excessive amount of the establishment charges for the administration of the law in Ireland, and he went on to say that it was a species of bribery employed by the English Government for the purpose of purchasing peace. Now, I take it that if the cost of the establishment is great in proportion to the population of the country it is due to the fact that the establishment and the number of Judges are in excess of what is required in England. I believe it is admitted that the Irish Judicature is over-manned; but the present Government take credit to themselves for having done something to improve that state of things, and a Bill was introduced into this House by myself with that object. I think that the proper way to reduce the amount of the establishment charges is to reduce the number of Courts, or the number of Judges, but to cut down the charges without economising the duties would be to put the cart before the horse. The hon. Gentleman says that the expenditure is maintained as a species of bribery on the part of the Government; but he must be aware that the legal system of Ireland is not administered by the Chief Secretary or by the Lord Lieutenant, but that it rests entirely in the hands of the Judges, and devolves upon the Executive Government. It, therefore, cannot be regarded in any shape as bribery in the hands of Her Majesty's Government. I am given to understand that since the Judicature Act was passed, in 1877, the total amount of this Vote has only been increased by something like £300. How far it may be possible to reduce the number of Judges I am unable to say. I am not sufficiently acquainted with the details to be able to give any information to the House. I am satisfied, however, that the Lord Chancellor and the other Judges will do their best to comply with the wishes of the hon. Gentleman, and see that the work is carried on with due regard to economy.

(12.55.) MR. T. M. HEALY (Longford, N.): I raise no objection to the amount of this Vote. I never care a brass farthing what it costs England to govern Ireland. In my opinion the more the merrier; but I would support any proposition to cut down the expenditure incurred in the administration of law in Ireland, provided that the sum saved were appropriated to some useful Irish purpose. That is the position I take up in regard to all of these proposed retrenchments. Give us the money for education, and you may cut off as many Judges and their salaries in these bloated and inflated establishments as you please. But so far as effecting economy is concerned, I confess that it does not wring my heart to find that the cost of governing Ireland is three or four times what that of governing Scotland is. Perhaps I may be allowed to call attention to instances which have occurred in connection with this Vote of pure jobbery. The Act of 1877 abolished the office of Receiver Master, and thereby effected a saving of something like £1,200 or £1,500 a year. The office was abolished in express terms; but, nevertheless, I find in this Vote a sum of £200 for the travelling expenses of the Receiver Master, Mr. Edmund Murphy. This seems to have been done by collusion with the Treasury, or by some occult arrangement which I am unable to understand, and it also seems that a salary of £1,000 is paid by stamps. The Receiver Master is getting a round sum of £1,000, and if we ask what the effect of the arrangement is we are told that there has been great economy, and that the entire sum is now paid by stamps. Mr. Edmund Murphy figures in the Vote, at page 275, for an additional sum of £200 for travelling expenses. Well, what does he travel for?

THE CHAIRMAN: The salary of £1,000 for the Chief Receiver is in the Vote.

MR. T. M. HEALY: It always happens, Mr. Courtney, that you know more about these Votes than anybody else.

THE ATTORNEY GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): The fact is that the items did not appear in the Vote last year.

MR. T. M. HEALY: Was the Chief Receiver without a salary last year?

MR. MADDEN: No; but he had only just been appointed, and the Estimates did not include his salary.

MR. T. M. HEALY: Then Mr. Murphy's salary is in the Vote this year, and £200 in addition figures as his travelling expenses, yet we are told by Statute that the office has been abolished. Has it been created over again by the Judges by a rule?

MR. MADDEN: He is not Receiver Master.

MR. T. M. HEALY: No; that is the trick. He is now "Chief Receiver." A job by any other name is quite as odious. This Chief Receivership has been invented in the interests of the landlords. A large number of estates in Ireland are under the control of the Court of Chancery, and if you do not pay your rent to that Court you are immediately put in gaol. If you cut a piece of bog on an estate in Chancery that also is contempt of Court, involving imprisonment, and I believe that at this very moment there is a poor woman who has now been in gaol for two years, because of some little act of trespass for which she could not have been punished by imprisonment if the case had gone before Petty Sessions. This office had been invented for the purpose of prostituting the Irish judicial system, and I should advise landlords like Mr. Smith-Barry to file a bogus petition for sale, and thus get placed at their disposal all the resources of the Court of Chancery. Mr. Edmund Murphy is, in addition, employed as a perambulating auctioneer in the interests of landlords, and he gets £200 a year for that. This same gentleman was described by the Bishop of Limerick, when he was sent down to the Glensharrold Estate, where the Plan of Campaign was in operation, as "a man in the deepest sympathy with the Irish tenantry." It was suggested that he held even the scales of justice. He has, too, been employed by the Board of Works in connection with a light railway scheme in Donegal, and he was so employed in the interests of Messrs. Barton and Price. In fact, up springs Chief Receiver Murphy everywhere like a Jack in the box. While he is supposed to be sitting among the cobwebs in his office in Dublin he is strangely enough found jumping up among the daisies in the country. He is in the habit of giving evidence before the Land Courts, and when we ask why he is not attending to his duties in Dublin we are told that he is only giving evidence in cases where he valued the farm prior to his appointment; that he condescends to go down to illuminate the Courts with his evidence. It is, I say, a prostitution of his position; the idea of a man in Government pay acting in this way as the bottle washer of the landlords! The fact is, he has made himself so useful to the landlords that he has been rewarded with this Receivership, which has been invented for his benefit, and an old office, which was distinctly abolished by statute, has been revived in his behalf. This, I say, is a scandal, and if it can be done in the case of Mr. Murphy, why should it not be done in the case of every parish officer in Ireland? Then there is the job connected with the Supreme Court of Judicature. You put a tax on the subject in the shape of Stamp Duty, and with the proceeds revive an abolished office, and then, forsooth, you put forward the plea that the office costs the Exchequer nothing because the salary is paid for by stamps. Why, no end of jobbery could take place under those circumstances; it opens up endless avenues and vistas of corruption. It is proposed under the Land Purchase Bill of the Government to consolidate the office of the Land Judges with the office of the Land Commission. Will any retrenchment be achieved thereby? We shall hear, no doubt, of the reduction of staff and of clerkships; but Mr. Murphy will not go. The Land Judges Court was able to do without him for 12 or 13 years; indeed, since 1885 (I believe that is the date) the duties of Receiver Judge have been discharged by the Bankruptcy Judge, Judge Boyd. Lord Ashbourne slipped into his Bill after it had left this House a proviso relieving the existing Land Judges of some of the Receiver's duties and providing for their discharge by the Bankruptcy Judge. Judge Boyd has ever since discharged these duties, but at last he began to kick, because he

found that the salaries of the Bankruptcy Judges were the only Judges' salaries which appeared on these Votes, and not upon the Consolidated Fund. Will it be believed that it is proposed in the Land Purchase Bill of the Government to place the £3,000 a year salaries of the Land Commissioners on the Consolidated Fund? Will it be believed it is proposed to remove them from this Vote while the salaries of the superior Judges are still to remain open to discussion every year? The whole thing savours of jobbery. The Government owe the House an explanation on this point. Mr. Edmund Murphy may be, from the point of view of the Bishop of Limerick, an excellent judge of land, and it may be right and proper that he should be sent down to the Glensharrold estate; but I say that as the Court of Chancery have managed to do without the office ever since the abolition of the Receivers Mastership, it is not right to invent a tax on the subject in the shape of Stamp Duty in order to give Mr. Murphy £1,000 a year. That is a little too strong. Now I come to the charges for Election Petitions. There have been very few Election Petitions in Ireland for the last 12 or 13 years, and since 1886 there have been none at all. In that year there were two—one in Derry, and the other in West Belfast. Yet will it be credited that on every years' Votes there have been charges under this head? I think that this is a great scandal. Last night we passed a Vote containing a charge of fees for Counsel and other Law Officers for conducting Election Petitions, and in to-day's Votes we find provision for two salaries for clerks and other officials in connection with the trial of Election Petitions. Is not this a scandal? Where is your Treasury spy, the Remembrancer, who is daily to be seen sniffing round the Four Courts seeking whom he may devour? You employ Mr. Holmes to see what offices can be curtailed, but he has most remarkable eyes, for he only sees it possible to curtail offices which are held by Nationalists or their sympathisers. Why, some of the most egregious jobs are committed in connection with his own office; yet he winks and connives at them. And this is done by the gentleman who has for the time being charge of the conscience of the Treasury. Although we Irishmen are looked upon as a miserable, wretched, selfish, priestridden people wanting education, I do sometimes think that we could run the Government of our own country in a better way than this, and if we started an Irish Government to-morrow we probably should do away with some of these salaries paid for Election Petitions, which are not heard. Of course, it must always be remembered that we Irishmen are enjoying the fruits and privileges of the British Constitution; that we live under the flag of the Army, the Navy, and the Volunteers; and that we ought to bow our heads accordingly. The only other point I wish to deal with is the Registry of Deeds Office. This is one of the best offices in Ireland, the men in it work like blacks, and perform some of the most useful functions known to any department, and the consequence is that because there are a few Nationalists on the staff the Treasury Remembrancer has taken it into his head to suggest a reduction of the staff. The men in the office have been slaving from morning till night trying to get off the arrears of work. The office is the most important one in the country, yet the Treasury Remembrancer wishes to starve it because a few Catholics are employed there. And does the right hon. Gentleman the Secretary to the Treasury denounce that action? Oh, no. He approves it. And what is the result? A word from the Treasury Bench against an official in Ireland is like a sirocco. It is read in the newspapers by every member of the Castle gang, and the official is at once spoken of as having a black mark against his name. I challenge the Attorney General for Ireland to say that he has any sympathy with this proposed retrenchment. He will not, because he knows a good deal more about the work of this office than any other man in the country. He would protest against the conduct of the Treasury, but he knows that the Government do not care about his opinions on this matter; they prefer to adopt the view of Mr. Holmes. Would it not be as well to increase the staff of this office and use the salaries now paid for Election Petitions for the benefit of the most deserving office in the entire administration of the

country? I warn the Government that when the Land Purchase Bill comes under discussion next year we intend to raise the question of placing the salaries of the Land Commission Judges in the Consolidated Fund, and also the way in which the Banking Judges are being treated. We shall also discuss the appointment of Mr. Edmund Murphy.

*(12.6.) MR. MADDEN: I am bound to admit that the hon. and learned Gentleman has called attention to several matters which are deserving of the serious attention of the Government, inasmuch as they are so closely connected with branches of the Public Service in Ireland. There are two points in which I take especial interest, namely, those connected with the Registry of Deeds Office and the appointment of Mr. Edmund Murphy as Chief Receiver. The appointment of Mr. Murphy as Chief Receiver was assailed as a job on the part of the Treasury and of the Judge. I think I can satisfy the Committee, in a very few words, that there never was any appointment less open to such an imputation. There are two circumstances which are worthy of consideration. One is that the salary of that gentleman will not cost the taxpayers a single shilling, because it will fall upon the cost of administering the estates in Court, and will, therefore, come out of the pockets of the persons interested in the estates. But that is not all. The appointment of this gentleman will effect the saving of something like £10,000 a year in the administration of the estates. Considerable abuse existed prior to the coming into force of the new arrangement. The number of estates administered by the Court had risen from 565 in 1880 to 1,320 in 1887. It is not for me, on this occasion, to discuss the causes which led up to that circumstance, but what I do wish to point out is that the management of the estates under the old system was exceedingly expensive. It was necessary to make application to the Judge to sanction anything involving an expenditure of money, and, consequently, applications were made for power to paint walls or to repair roofs. The very able Judge who now presides over the Land Court, seeing the enormous waste of money which that involved, suggested to the Lord Chancellor and to the Treasury that it might be avoided if a gentleman of admittedly great experience in such matters were temporarily appointed, not to act as Judge or as Receiver Master, but rather to act as Chief Receiver. That gentleman's appointment has not cost the taxpayer a single sixpence. The salary is provided by the imposition of an additional charge of £1 when the Receiver's accounts are passed.

MR. T. M. HEALY: Under what Statute?

*MR. MADDEN: Under the Judicature Act and Landed Estates Act. I can satisfy the hon. and learned Gentleman that the charge is perfectly legal, but my desire at this moment is to show that the appointment of Mr. Murphy has effected a great saving in the cost of administrating estates. It was, indeed, estimated originally that a saving of £10,000 a year would be effected if that salary of £1,000 a year were paid, and I think I am justified in saying that the actual saving has been considerably in excess of that amount.

MR. T. M. HEALY: Why does the item appear in the Estimates as only a temporary appointment if it is such a valuable one?

*MR. MADDEN: The reason is that Mr. Murphy is not a member of the permanent Civil Service, and the existing arrangement may be terminated at any moment if it is found the results do not prove as beneficial as is expected. Mr. Murphy's services can be discontinued at any time, and he will not be entitled either to compensation for the termination of the engagement or to a superannuation allowance. With regard to the complaint made by the hon. and learned Gentleman the Member for Longford as to the charges in the Estimates for Election Petitions, I may point out that it is necessary in the Estimates to provide for all contingencies, but that when the Appropriation Accounts are examined it will be found that where there had been no Election Petitions the money had not been expended. Finally, as to the complaints raised with regard to the treatment of the staff of the Registry of Deeds Office in Dublin, I desire to place on record my appreciation of the admirable manner in which the duties of that office have been performed. I have had the whole question long before me. Twenty-two years ago I published a book on the subject of the

registry of deeds. I was also 12 years ago a member of the Commission which inquired into the subject, and as such member it was my duty to inquire into all the details of the office. I was greatly impressed with the admirable manner in which the duties were performed and the office administered. I may say that I have this year introduced a Bill consolidating and amending the laws relating to the office, and I hope that it will find favour with the House. With regard to the complaints of the hon. Member as to the position and treatment of the staff, this is not a matter within my province, but I feel quite sure that they are now quite safe in the hands of the right hon. Gentleman the Secretary to the Treasury, and are not likely in any way to receive other than fair treatment.

(1.40.) MR. P. M'DONALD (Sligo, N.): I desire to say a few words with reference to another Department, and to point out where economies which might have been effected have not been carried out. I believe that in the whole range of the Judicial and Civil Services in Ireland there is no Department in which abuses in the shape of over-manning the staff are so rife as in the case of the Irish Bankruptcy Court. Long before the Act was passed, which gave special Courts to Belfast and Cork, the business in the Dublin Court had been gradually and continually decreasing, and now things have come to such a pass that there is now not sufficient business for one Judge, instead of the two which you have there, each with a separate staff. One would have thought that when the Local Bankruptcy Courts were established the Government would have transferred the redundant staff from Dublin to those Courts, and thus have secured those economies to which the right hon. Gentleman has referred. But that was not done. I have moved for and obtained two Returns, which afford some valuable information on this matter, and they lead me to the conclusion that only one Judge is necessary, and that the offices of one Judge, one Registrar, one chief officer, one Deputy Registrar, and a first clerk might be abolished, and a saving of £5,000 a year effected. What is done under the present system? Why, the Receivers have to resort to expedients in order to make business, and one of these expedients is the continual adjournment of cases, a process which heaps costs upon costs on the poor debtor and his unfortunate creditors. I am told that the Judges scarcely ever refuse an application for adjournment, simply because it gives an excuse for an additional sitting. Since the establishment of Local Courts in Cork and Belfast one would have thought that the Dublin Court would not have dealt with cases coming from those districts, but, as a fact, whenever Petitions from those districts are filed in the Dublin Court, the Judges, instead of adopting a common-sense view, and remitting the cases to the Local Courts, they deal with them themselves. Bankrupts in the Cork and Belfast districts know that if they can get their cases taken to Dublin they can get through the Courts more easily, because creditors will not take the trouble and expense to go to Dublin and to have their affairs thoroughly investigated. Now, this can only lead to an increase in the number of fraudulent bankruptcies and of "runaway" bankrupts. I think Ireland should be divided into three districts, and that the Judges should confine themselves to cases belonging to their own districts. The Deeds of Arrangement Act, which will come into force next November, will still further tend to decrease the business. What do the Returns which I have obtained show? In 1879 the number of Petitions for arrangement was 945; in 1889 it was only 323. In the same years the numbers of cases tried were respectively 9,448 and 4,284. Thus the business has fallen off two-thirds in 10 years. Yet the same two Judges and the same staff, costing altogether £10,000 a year, are retained to do one-third of the work they did in 1879. The lists of cases at present are mainly swelled by the Judges assenting to almost every application made for adjournments. Ten years ago the Judges sat, on an average, five or six hours a day on three days a week: now the average sittings are two hours a day on two days a week; and half of that time they have little else to do than allow trivial talk and unnecessary argument to go on. In fact, they have no work to do. It is a monstrous thing that the country has to pay £10,000 a year, when at the

utmost £5,000 is sufficient. I have put a notice on the Paper of an Amendment to reduce the vote by £5,000, but I will not move the Amendment, as a reduction has already been moved.

(1.50.) MR. SHAW LEFEVRE (Bradford, Central): I desire to call the attention of the Committee to a matter arising out of the speech of my hon. Friend the Member for Lanarkshire. The Chief Secretary has practically admitted that the charges for the Supreme Court in Dublin are excessive, and that it is due to the fact that the Judges are more numerous,than they ought to be, and that if a reduction could be made in the staff of Judges there could be a corresponding reduction in the establishment charges. Now, last autumn an opportunity occurred for effecting an enormous economy in this respect. A vacancy occurred in the office of Chief Justice in Ireland in consequence of the appointment of Lord Chief Justice Morris to the post of Law Lord in the House of Lords. A chance was thus given of amalgamating the Court of Exchequer with the other Courts in accordance with the provisions of an Act of Parliament passed in the year 1887. In the year 1887 there was a vacancy in the post of Chief Justice of the High Court, and, at that time, the Court of Common Pleas and the Court of Exchequer existed as separate Courts, and advantage was taken of that vacancy to promote Lord Justice Morris of the Common Pleas, to the post of Lord Chief Justice in Ireland. In 1887 an Act was passed by the now President of the Board of Trade, who was then Chief Secretary for Ireland, abolishing the post of Lord Justice of Common Pleas and amalgamating that Court with the Supreme Court. An immense economy resulted from the adoption of that course. The Act also provided that whenever a vacancy occurred in the post of Chief Baron the office should be abolished and the staff of the Court should be amalgamated with that of the Supreme Court. Now, last autumn an economy might have been effected by transferring the Chief Baron to the post of Chief Justice. There was an opportunity of effecting a very great economy. An economy had been effected by the amalgamation of the two judgeships of £6,000 a year, and another economy of £4,000 in the case of the Chief Baron—altogether an economy of £10,000. Although I cannot, according to your ruling, Sir, criticise the fact that the Chief Baron was not appointed to the post of Chief Justice, I cannot but express regret that this opportunity was not availed of by the Government of effecting a very great economy, which, in accordance with the general view of the Act of Parliament to which I have referred, was effected in 1889, on the vacancy of the post of Chief Justice of the Common Pleas, and very much to the benefit of the Public Service. And I say that the same economy could have been effected if a different course had been pursued on this occasion, although it is not open to me to criticise the appointment of the Chief Baron.

*(2.2.) MR. MACARTNEY (Antrim, S.): I only wish to refer, on this Vote, to the question of the bankruptcy administration in Belfast, and I deprecate my right hon. and learned Friend giving me any answer until he has had opportunity for reflection in the recess. The mercantile community in Belfast and neighbourhood are at the present moment entirely dissatisfied with the administration of the Local Bankruptcy Act. The hon. Member for West Belfast introduced a Bill for the purpose of enlarging the scope of the Local Bankruptcy Jurisdiction of Belfast, and the Bill was backed by hon. Members sitting on this side of the House. The Government were unable to accede to a Bill promoted by private Members on this subject, but I trust Her Majesty's Government will consider this matter more carefully, and that they will see it is absolutely necessary in order to make the Local Bankruptcy administration effective in the most important mercantile and industrial community in Ireland, that the object of the Bill introduced by the hon. Member for Belfast should be acceded to. I know that there are several reasons which can be given against enlarging the bankruptcy jurisdiction in Belfast, though I cannot see any valid reasons except from the bankruptcy officials' point of view. If I had any connection with the Dublin Bankruptcy Court, if I were a practitioner before the Court in either branch of the profession, I should certainly resist with the utmost strenuousness any attempt to extend the bankruptcy jurisdiction in Belfast. I hope

the Government will not consider suggestions made in the interests of these officials. I trust that my right hon. and learned Friend will take this question into consideration before the next meeting of Parliament, and I earnestly hope that, in the interests of the mercantile and industrial community, the Government will see fit themselves to introduce a Bill for the purpose of making the Local Bankruptcy Act effective both to Belfast and Cork. The only other observation I have to make on the Vote is this. I cannot help feeling that the Courts in Dublin are overweighted at the present moment. There are more Judges in Ireland than there is work for them to do. I do not go so far as hon. Members opposite, but I cannot help feeling that the Judicial Bench in Ireland is overmanned. If you compare it with the Judicial Bench in England, you cannot resist that conclusion. I hope that on the first convenient opportunity the Government will endeavour to effect a reduction of the expenditure on the High Courts of Judicature in Ireland. I know that all political parties in Ireland view such a reduction with favour, and they expect that the Government will undertake it. I trust when the favourable moment arrives that the Chief Secretary will accede to the general wish of the Irish community.

(2.10.) MR. DILLON (Mayo, E.): The hon. Member has said that all political Parties are in favour of this reduction. It is the first time we have heard any utterance from his Party.

*MR. MACARTNEY: I do not wish to interrupt the hon. Member, but he has perhaps not read the speeches of my hon. Friends.

MR. DILLON: I confess I am not acquainted with that literature. I know that we on this side of the House have drawn attention, year after year, to these monstrous charges. No other word adequately describes them. I am glad to see that better councils are prevailing among the Party opposite. I rejoice to see that the Conservative Party in Ireland are at last awaking to the monstrous waste of money going on in this establishment. I shall await with considerable interest what the Government have to say on this matter. I noticed that the hon. Member for South Antrim said when a convenient opportunity arises. Will that be when the Irish people are reconciled to the Government, and do not need to be bribed?

MR. MACARTNEY: I said when an opportunity arises.

MR. DILLON: I think we are entitled to know from the hon. Member and his friends when that convenient moment may be expected. I want to know on what ground reform is to be postponed. I say the Government were bound, after the declaration of the hon. Gentleman as to the gross waste of public money upon a bloated establishment, to put a stop to this waste. On what ground can the Government resist this unanimous desire of the people of Ireland for reform? They must adopt either of two courses. They must either say they differ from the unanimous expression of opinion, or they are bound to bring forward the grounds on which they refuse to save the public money. They are bound before this Vote is passed to justify their conduct. Allow me for a few moments to direct the attention of the House to the nature of the abuse. I have travelled a very great deal in the English speaking world. I have seen Judges dealing with business infinitely more important in the colonies than ever comes before a Dublin Judge. I have seen Judges of the highest intellectual ability in New South Wales and Victoria, discharging their duties for a salary of £300 a year. When we remember the facts that the leaders of the Bar——

THE CHAIRMAN: The hon. Gentleman is entering on a branch of the subject outside the Vote. The salaries of the Judges are charged on the Consolidated Account.

MR. DILLON: Is there any Vote on which we can discuss the cost of the Judges to the State?

THE CHAIRMAN: There is no opportunity of discussing the salaries of the Judges on the question of the expenses of the Establishment.

MR. DILLON: I do not propose to go into the question of the Establishment at present, because the point I wished to draw attention to was that of the salaries of the Judges. As that is ruled out of order I will not continue my observations.

(2.14.) MR. CLANCY (Dublin Co., N.): I desire to call attention once more to the Registry of Deeds Office, in regard to which I think the answer of the hon. and learned Gentleman is not at all satisfactory.

*MR. MADDEN: I made no answer so far as the staff of the Office of Registry is concerned. This is a matter for the Treasury. I said that I had no doubt that the Treasury would deal fairly with the office.

MR CLANCY: The history of the matter is this. This office, which was one of very great importance and rather popular with the Irish public, discharged very useful and necessary functions, which have become still more necessary. The office has been the subject of several public inquiries. In 1866 a Commission was appointed by the English Treasury to inquire into this Department, and it reported favourably upon it, recommending certain changes, which, when carried out, added to the efficiency of the Department. In 1874 another Commission was appointed, and it reported favourably on the manner in which the work was being done. It recommended certain changes increasing the value of the Department, and these were carried out. In 1881 the Commission, of which the right hon. and learned Gentleman was a member, presented their second Report, a copy of which I hold in my hand. I should like to draw attention to two or three of their recommendations. The first of these was with regard to the character of the clerks to be employed in the Office of the Registry, and the Commissioners say that it is necessary to employ a superior staff of clerks, and that they should have every possible inducement to remain permanently in the office, inasmuch as it takes many years of continued training to fit a clerk for the discharge of the higher duties of the office. They added that if the then rate of increase in the work of the office should continue, it would be necessary to add to the number of the clerks. Well, instead of a proportionate increase, such as the Commission recommended, although the business of the Department has doubled during the last 25 years, the number of the staff has been reduced from 66 down to 45, with the result that, so far as the promotion of the clerks is concerned, that has been stopped. The Commissioners stated on this point that, inasmuch as the Department requires a superior class of clerks, the question of promotion was one that deserved attention. But the promotion has stopped, and there is now no promotion, and, as a result of all this, the solicitors are loud in their complaints as to the block of business which has occurred in the office. Another recommendation made by the Commission was with regard to the searching room. That is the room in which the public are allowed to search for deeds, &c., and in reference to this the Commissioners say that they are of opinion that the accommodation afforded by the present building is wholly inadequate for the work that has to be done in connection with the office, and that the accommodation ought to be largely increased. I am informed that the business of this Department has so increased up to the present time that the room is inconveniently crowded, and yet nothing is done to carry out the recommendation of the Committee. Turning to another part of their Report the Commissioners stated that the office ought not to be a source of Imperial revenue at all; that it was clear from the language of the section relating to this matter that the fees were never intended to be applied to the Imperial Revenue, but to be used for the benefit of persons having business in connection with the office, and for the maintenance of an efficient office and staff. They also say that over £40,000 a year had been received by the Treasury on account of fees between 1832 and 1864, and that while that was accumulating the Revenue derived from the office Stamp Duties yielded a large profit, the exact amount of which cannot be ascertained. That is to say, if I understand the Report aright, this large sum of £40,000 has been abstracted illegally from the uses of the office in Dublin, and applied to the purposes of the English Treasury, to which it was never intended to be applied at all. I may be stupid, but that is the meaning I place on this statement, and if I am not correct I am sure the right hon. and learned Gentleman will set me right. The Committee added that the entire Revenue derived from duty stamps, as well as fee stamps, appeared from the evidence before them

to have been at all times sufficient to balance the expenditure, and as they were of opinion that the Revenue derived from the duty stamps as well as the fee stamps should be exclusively expended on the maintenance of the office, they did not consider that it should be applied by the Treasury to Treasury purposes. I should advise the right hon. and learned Gentleman to carry out the recommendation to which he has put his signature, and yet if we were to ask for anything like £40,000 for improving the office in Dublin we should be told that we proposed to dip our hands into the pockets of the British taxpayers. That £40,000, as I have shown, was never intended for the use of the English Treasury, and I contend that it is due to us at the present moment for the purpose of carrying out the recommendations of the Committee. It is probable that the right hon. and learned Gentleman who signed that Report will shortly tell us the reasons he now sees for dissenting from it; but if he cannot do that I know what the Secretary to the Treasury will say. He will remind us that the English Treasury appointed another Committee of Inquiry, and a very curious body it was. All of our Commissions—Lord Percy's Commission and the Commission of 1878—were composed of independent gentlemen; but the last body appointed to inquire into matters relating to this office was composed of three Treasury clerks and a Mr. Williams, an English gentleman whom the Government thought it necessary to send over to Ireland, under the notion that they could not get on without they had an Englishman to assist them.

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): That gentleman was sent over because of his special experience in connection with the Yorkshire Registry.

MR. CLANCY: I think it was a bad compliment to pay to his Colleagues to bring over from England a gentleman who was to instruct the Attorney General and several of the Judges as to what ought to be done in Ireland. This is how matters are managed in Ireland, and helps to explain why it is that things are so rotten there. I suppose Mr. Williams was appointed because the right hon. Gentleman (Mr. Jackson) comes from Yorkshire himself.

MR. E. HARRINGTON (Kerry, W.): "Yorkshire relish."

MR. CLANCY: My hon. Friend suggests that it was a case of "Yorkshire relish." But Mr. Williams, who is connected with the Registry of Tithes in Yorkshire, is sent over to instruct all these gentlemen. For my part, I regard this part of the business as an insult offered to the Royal Commission by the Government. At any rate, this body was sent over and did just what the Treasury wanted. They desired the Commission to report against all the recommendations of the Commission of 1881, and this they did. They said, for instance, that the staff should be brought down to 45, it has been brought down from 66 to that number, although the business of the office has doubled during the last 25 years. Again, they studiously avoided any allusion to the recommendation of the previous Commission that the £40,000 was illegally abstracted from the Office Returns, and they said the fees were not sufficient to support the office, which is an untruth, because the duty stamps, of which the Royal Commission have made much, amount to about £40,500 a year.

MR. JACKSON: They do not amount to that now.

MR. CLANCY: When did they cease to amount to that sum? It will not do to put us off with a denial like that. I have got my information on very good authority, and I assert that if the fees have not amounted to that sum the falling off has been of very recent date indeed. I claim—and here I ask the sympathy of the right hon. Gentleman the Secretary to the Treasury—that this office should be kept up even if it is not self-supporting. The matter is one, I will not say of Imperial concern, but in regard to Ireland is a matter of National concern. I hold that you are bound in the public interest to keep up an office of this sort, even if you never get a penny in fees from it. I do not think the right hon. Gentleman will object to that statement. This worthy quartette—including the gentleman from Yorkshire—did carry out one recommendation of the Royal Commission, that is to say, they joined the third class clerks to the second class, and thereby improved the position of the juniors; but in doing that they abolished

some of the higher positions, thereby seriously retarding promotion, in spite of the recommendations of the Royal Commission that the clerks in the office should be taught to look to promotion in the office as their only reward. Promotion was retarded, and the efficiency of the office was thereby damaged. It is nothing to me whether these clerks are promoted or not—I do not know any of them, and I am only interested in the efficiency of the Service. The matter is a comparatively small one ; but I maintain that the reduction of the staff from 66 to 45 or 44, notwithstanding that the business has doubled within the last 25 years, has tended to a block in the Dublin office which is very injurious to the public interest. I have to complain of one thing more, and that is, that the head of the office made a reply to the last Commission I have referred to, and that that reply has never yet been published. I want to know why it has not been published. Is it a confidential document, and, if so, will the right hon. Gentleman tell us whether any such document has ever before been regarded as confidential? Is not the real reason for the non-publication of this document that the Registrar replied to the statement and recommendation of the last Commission, and gave the clearest reasons why they should not be adopted. If that is not the reason the right hon. Gentleman should say so; if it is I say that gross injustice has been done to the Registrar, and the sooner it is redressed the better.

No reply being given,

MR. CLANCY (rising again): I think the right hon. Gentleman is bound to make some reply to the statement I have made.

(2.35.) MR. JACKSON: I trust the hon. Member will not allow himself to become excited on this matter. I, at the moment, did not observe that he had finished his observations. I have no desire to refrain from answering, shortly, the hon. Member's charges. In the first place, as to calling in the Yorksire Registrar to serve on the Commission, that was before my time, and I had nothing to do with it. I suppose that Mr. Williams was sent over because he was acquainted with the working of an office of a similar kind. With regard to the answer of the Registrar it is not usual to publish documents which are departmental. The hon. Member says that there were in former years fees on Stamp Duties levied in excess of the requirements of the office——

MR. CLANCY: Will the right hon. Gentleman say whether the reply of the Registrar confirmed or disputed the recommendations of the Commission?

MR. JACKSON: It would be extremely inconvenient for me to say what the Report contains, because that would be the same thing as presenting it to Parliament. I may say, however, what I think is much more to the point, that I have been endeavouring quite recently —as I have stated in reply to a question put to me in the House—to ascertain where the block of business exists, and what inconvenience has been occasioned, because I admit at once that in an office of the kind the interest of those who have business with it ought to be first considered, and I hope before the end of the year arrangements will be made by which, if all the arrears will not be quite overcome, matters will be greatly improved. I sent over to Dublin a person who has had experience in an office of this kind, and he has, in conjunction with the Registrar, come to a conclusion as to the course to be taken, which I believe will be found to remove all the block and pressure which now exists. I take it that the only object the hon. Member has in calling attention to the office is his natural desire that the business of the office should not suffer. In that I am heartily with him, and, as I say, arrangements have been made by which satisfactory progress will be made with the work. The accommodation in the office was rather insufficient, and I understand that it is proposed to remove to another office in Dublin some of the work which has to be performed. The seven hours' system is to be applied to the clerks in this office; and I hope the Committee will accept these statements in proof of the fact that this office is not being neglected. I say, as I have always said, that the office ought to be sufficient to meet the requirements of all those concerned, and that I shall not be satisfied until it is. I am assured that arrangements are being made whereby it is hoped that deeds lodged on a particular day will be entered on the

same day, or the day following. I have much pleasure in assuring the Committee that the Registrar and the Treasury are thoroughly in accord, and are working together, with a view to the efficiency of the Department.

MR. T. M. HEALY: Do you withdraw your attack on the Registrar?

MR. JACKSON: I certainly do so if I have made any. I am sorry that anything I have said should be taken by him in that light.

MR. T. M. HEALY: I do not know that it has. I am not acquainted with him.

MR. CLANCY: What about the £40,000?

MR. JACKSON: As to the £40,000, it is a long way to go back to 1864. Of course the money was paid into the Exchequer, and formed part of the income of the year.

(2.48.) MR. CLANCY: I must say that of the many ways in which Ireland has been robbed since the Union this is one of the meanest. Fees which should be applied to the use of the office have been diverted to the use of the Treasury. Every Secretary to the Treasury whom I know has either perpetrated, or joined in perpetrating, frauds of this kind. (2.50.)

(3.5.) MR. J. O'CONNOR (Tipperary, S.): Many grievances connected with the Vote have been referred to by my hon. Friends, and I have no doubt that some good will accrue from the discussion. I have no doubt that some effort will be made in the dim and distant future to rectify the evils that at present prevail. One statement was made by an hon. Friend of mine which I wish to emphasise, and that is the statement with regard to the Bankruptcy Court. I find that, although two Bankruptcy Courts, with full staffs, have been set up in Ireland, there has only been a decrease between 1889-90 and 1890-91 of £93. There has only been this decrease, notwithstanding that the business of the Central Bankruptcy Court has, in the last 10 years, decreased by two-thirds. While the Attorney General for Ireland and the Chief Secretary referred to some of the more glaring anomalies under the present system, they have not referred in the slightest degree to the statement made by my hon. Friend regarding the Bankruptcy Court in Dublin. These anomalies form a scandalous state of things, which ought to be looked into; at all events, it deserves the notice of Ministers of the Crown. I trust that before the Debate closes we shall have some assurance that the salaries of the staff of the Court will be revised; that the cost of maintaining the Court will be brought to an amount reasonably proportionate to the amount of business done in the Court. I think we owe to the hon. Gentleman the Member for Wick a debt of gratitude for having exposed the anomalies of the present system. The hon. Gentleman has pointed out the enormous cost of the Supreme Court in Ireland as compared with that of the Supreme Court in England and Scotland. This disproportion is all the more glaring when we know that although the Irish people may be naturally litigious, as I believe they are supposed to be; they are, as a body, too poor to indulge in legal proceedings. We find, from the figures of the hon. Member for Wick, that the cost of the Supreme Court of Judicature in Ireland is one-fourth of the cost of the Supreme Court in England. Ireland, a poor country, has legal establishments imposed upon it costing one-fourth as much as similar establishments in England, where there is 10 times the population, and where the people are sufficiently rich to indulge in the luxury of the law. That is an anomalous state of things. But it is not so anomalous as a comparison between Scotland and Ireland affords. The hon. Member for Wick pointed out that the cost under this head in Ireland is four times the cost under a like head in Scotland. There is not any great disparity between the populations of Scotland and Ireland. They are very nearly the same, or they are becoming more approximate to each other every day—the population of Scotland is becoming greater and that of Ireland is becoming less. Although this is so, we have this anomalous state of things: that the cost of the Supreme Court of Judicature in Ireland is four times greater than that in Scotland. Not only are the populations becoming approximate, but the population of Scotland is much wealthier than that of Ireland. Every day in Scotland there are large transactions of a commercial character; there are manufacturers and mining operations;

there is a state of things existing in Scotland that calls for the interference of the law, that necessitates the pleading of cases before the Superior Courts in Scotland. There are not the same occasions for the interventions of the Courts in Ireland. Why do I desire to emphasise these facts? Because I am convinced it is high time there should be retrenchment in this particular. It is a matter of great moment to us that this retrenchment should take place as soon as possible. I believe we are on the eve of great and important changes with regard to the Local Government of Ireland. Both sides of the House seem to be agreed that a change in this respect must soon take place. One great Party in the State believes that a large measure of National Self-Government should be bestowed on the people; another of the great Parties say that a large measure of Local Self-Government should be given to Ireland. Whether the settlement will take place according to one system or the other, whatever Government is called into existence in Ireland, must necessarily place before itself the task of cutting down the legal expenses of Ireland. The moment we in Ireland apply ourselves to this great and important work, what will be one of the great necessities of the case? If we are to discharge a great number of those who are at present engaged in the overmanned legal establishments in Ireland, it will be necessary to place them upon the country as pensioners, or otherwise we should be charged with doing injustice to the Civil servants of the country. I have no doubt the Irish people will do the Civil servants justice for their own sake, but it is time that a beginning was made in the direction of retrenchment. We do not want to go back to Ireland and have saddled upon our shoulders all these bloated establishments the growth of years and years of bribery and corruption and unfair dealing towards the people of Ireland. Both the Chief Secretary and the Attorney General for Ireland have evaded the large and important issues raised by the hon. Member for Wick. It is the habit of the Government to evade great issues brought before them and to hinge their speeches upon comparatively small issues, raised with regard to individuals. I wish to emphasise what the hon. Member for Wick brought before the Committee. There is a great burden on the people of Ireland with respect to the administration of the law, and I trust before this Vote is taken the Government will give some assurance that they will look into the great and important issues raised, and that before long an honest effort will be made to meet the demand of the poverty-stricken people of Ireland for justice and fair-play.

Vote agreed to.

2. 80,687, to complete the sum for the Irish Land Commission.

(3.22.) MR. FLYNN (Cork, N.): I think we may fairly argue that it would have been true economy on the part of the Treasury to have increased this Vote considerably, in order that the work of revising rents in Ireland might have been proceeded with at something like a satisfactory rate of progress. The last Land Act, passed presumably for the benefit of Irish tenants suffering under rack-rents, has now been three years in operation, and a large majority of tenants have been unable to take advantage of it owing to the fact that an insufficient number of Assistant Commissioners have been appointed. Owing to the undermanning of the Commission, a large number of tenants who sought relief under the Act of 1887 were debarred from getting any, because the landlord came down upon them, served them with notices under the 7th section of the Act, and thereby cut them off from all relief. They have lost all interest in their holdings, and many of them are now in the position of caretakers. On the general subject of the Land Commission, we have very great complaints to make. If the tenants of Ireland have not obtained the relief which the Land Acts were intended to give them, it has been owing to the manner in which from first to last the Land Commission has been juggled with. The manner in which the Commission is being gradually packed in the interest of the landlords by partisans of, and sympathisers with, the Land Courts, is a glaring scandal. What is the good of this House providing for the appointment of Commissioners for the purpose of settling fair rents in Ireland if those who are appointed are biased strongly on one side or the other? It has excited

very great suspicion in Ireland that one of three Commissioners, just on the eve of the promulgation of the last revision of judicial rents, resigned his post. True, he was not a strong man; but the circumstances of the resignation were such as to cause the gravest suspicion in Ireland. It is a very remarkable fact in connection with the revision of judicial rents in 1887 and 1888, that Mr. Justice O'Hagan dissented altogether from the manner in which the Commission had endeavoured to revise judicial rents. He did not come boldly forward to state his reasons for differing; but everybody in Ireland knew what they were, namely, that he could not agree with Commissioner Litton and Mr. Wrench for the absurd manner in which they approached the revision of judicial rents. They obtained Returns from the various Poor Law Unions as to the price of produce, without taking into account the yield of the produce. In the case of butter, for instance, they have said that when its price is high, owing to the comparative scarcity of the make, they must fix the revision of the judicial rents upon the basis of the high price, although the yield is small. Taking it all round, therefore, it has come to this: that in a year of actual scarcity and famine, when prices are naturally highest, the revision of judicial rents may be altogether against the tenant. It is desirable for us to hear the reason why the Commissioners proceeded on this ridiculous basis. There is a consensus of opinion that Justice O'Hagan resigned his post rather than share in the responsibility of putting this revision before the public. The suspicion is strengthened by the curious fact that the revision was made in 1890, although, according to the Statute, it should have been made in 1889. It is still an open question whether this does not invalidate the whole list. We want to know from those responsible for these things in Ireland why it is that County Court Judge Fitzgerald has been appointed on this Commission in the room of Justice O'Hagan. What proof of his fitness has he given? He was remarkable as a County Court Judge for the very severe manner in which he dealt with the Coercion Act cases that came before him. That was a characteristic that recommended him to the mind of the right hon. Gentleman before he was appointed a Commissioner.

THE CHAIRMAN: Order, order!

MR. FLYNN: Well, it is not necessary to follow this matter up, but there is a strong suspicion in Ireland that the Land Commission has been rigged, more or less, in the interests of the landlords, and that the Sub-Commissioners appointed from time to time are biased in exactly the same way. The dissatisfaction with the revised rents is more apparent in Ulster than in any other part of Ireland. Ulster is the only part of the country where meetings have been held and resolutions passed condemning the revised rents. There was a very important meeting of Ulster tenant farmers a short time ago to consider the recent order of the Land Commission. It was presided over by Mr. William Stewart, J.P. The resolutions were proposed by Mr. John M'Ilderry, J.P., and Mr. John Browne, who pointed out that the Land Commission had proceeded on an entirely improper basis in the revision of judicial rents. The meeting resolved that "we hereby indignantly protest against this Schedule for the following reasons." The first of these reasons was that—

"The agricultural interest was being destroyed by the exaction of impossible rents, and the equitable clauses of the Act of 1887, as well as other similar clauses, were intended to arrest a crisis which threatened ruin and turmoil to the country."

The second was—

"That there has been no imprisonment in agricultural matters to justify such a wide difference between the Schedules of 1887 and 1888, and the Schedule of this year displays not only defective knowledge, but gross abuse of the powers conferred by the Act of 1887."

The third was, that it would have been well to have fixed the averages at about the same rate as those of last year. The fourth was—

"That while the reductions are unjust, inadequate, and reprehensible, we view with even more extreme dissatisfaction the increases in judicial rents, and are constrained to regard these increases as legalised robbery of the tenants' property, and utterly devoid of those moral sanctions which constitute the basis of satisfactory, social, and public contracts."

The fifth was—

"The repeal of the fair-rent section of the Act of 1881, in relation to the rents of 1885, is a violent and unwarrantable reversal of the policy of that Act, and calculated to re-kindle

those popular passions which were coming under the sway of happier influences; and hence we cannot contemplate the repeal of the most salutary section of the Act, otherwise than as an actual blunder and a crime."

Now, these resolutions were passed by cool-headed farmers in the North of Ireland, and who would not denounce anything connected with the present Government for any consideration whatever. They have, however, been moved by the facts to pass a series of resolutions stronger than anything that has come from other parts of Ireland. In some parts of the country so deep is the dissatisfaction with the judicial rents fixed by some of the Sub-Commissioners that large numbers of tenants have withdrawn their cases from the Courts in a body. This is notably the case in Cork and Waterford, where the cases would be tried by Mr. Doyle. Mr. Doyle took part in the decisions on the Mitchelstown Estate. At one of those trials the tenants applauded their advocate's speech, and Mr. Doyle ordered the Court to be cleared, calling the tenants who had applauded a parcel of savages. I contend that if a man can show himself to be possessed of such a savage temper, and of a mind of so unjudicial a character as did Mr. Doyle on that occasion, he will carry some of his political bias into the cases he tries. The people prefer to rely upon such reductions as they can extort from the landlords rather than go into the Land Court and have their cases decided by such men as Mr. Doyle. I repeat that it is useless to pass Land Acts for the benefit of the cultivators of the soil if the persons who are set up to act as arbitrators between landlord and tenant are as hopelessly biased as this Land Commissioner undoubtedly is. On the estates in Cork, where judicial rents were fixed in 1882, 1883, and 1884 by another Commissioner, Mr. Walpole, hardly any of the tenants have since been able to pay the full amount. The landlords have been obliged, *nolens volens*, to give reductions of 20, 25, and 30 per cent. on the judicial rents in places where Mr. Walpole has adjudicated. I myself have seen lands on which Mr. Walpole has put £2 an acre, marshy lands which were almost wet enough in rainy seasons to float one of Her Majesty's ironclads. That has occurred on the Bog of Allan where, although the tenant has had to pay £2 per acre, the hay has been sold for 10s. an acre. All over the Counties of Cork and Waterford, wherever this Commission has roved, it has been found necessary for the landlords and tenants to go through the judicial rents again and strike 10 and 20 per cent. off them. In regard to the Court Valuers there are, no doubt, hon. Members from other parts of Ireland who will be able to bring forward many cases of Court Valuers who up to the time of their appointment had been employed solely in the landlords' interest, and who, of course, could not be expected to bring an unbiased mind to operate in the matter. But even if they should report rightly, is it sound policy that you should have Court Valuers whose appointment is viewed with distrust by the people whose holdings they are about to value? I will give an illustration of what I mean. There has recently been appointed on one of the Commissions connected with the County of Cork a Mr. Robert Martin, of Littleisland. I put a question in the House a few weeks ago in regard to this gentleman. I asked whether he had not acted in many cases as valuer for the landlord, and I was told by the Attorney General for Ireland that I had been misinformed, and that the gentleman had not been appointed Court Valuer but only as Sub-Commissioner. Will the Committee mark that. Here is a gentleman who had been a valuer for the landlords, appointed regularly to fix their estimate of the value of the land, and having been for a long time in the employment of one side he is appointed a Sub-Commissioner to decide for both sides. Such a thing is repugnant to every sense of fair-play, and if there is a want of confidence in the administration of the Land Acts the Government have only themselves to blame. I will give the Committee an example of the manner in which the valuers do their duty. In the case of Kenmare, a few months ago, a Commission, consisting of a Mr. Green, Mr. John Houston, and Mr. James Rice, were sitting. A tenant named Sullivan had applied for a reduction of his rent, and a Court Valuer was brought forward. He valued the land at a figure much higher than the tenant; but when this gentleman—Mr. F. R.

Baker—was cross-examined he said, "I consider £24 to be a fair rent for the farm." In reply to the tenant's solicitor he admitted that he had only gone over corners of the farm, here and there, and had not examined every part of it. I submit that that perfunctory valuation is a system adopted by the majority of these valuers, who are sent out by the Sub-Commissioners to discharge the most responsible duty of properly estimating the value of the land. Many of these gentlemen are persons who, up to the time of their appointment, had no particular knowledge of the land. They have either been civil engineers or connected in some way or other with the innumerable land offices and agencies throughout the country, but having had no acquaintance with or knowledge of land valuing. In conversation with a tenant a few months ago, on whose holding a Court Valuer had gone, I was told that this gentleman had driven up to the place, alighted from his car, and simply looked over the fence and examined the cottage garden—which everyone knows is usually the best part of the holding, neatly laid out and even adorned. The tenant asked him to go and see the wet and marshy part of the land, but he refused, saying he could see enough of it from the step of the car, and he drove off after that cursory examination of the land. I say that men who take such a perfunctory view of their duties ought not to be appointed. We want to know, from whoever is responsible for the administration of the Acts, on what system the Government or the Commissioners proceed in appointing the Sub-Commissioners and the Court Valuers? Are the appointments made in a haphazard sort of way, or, as the people suspect, and have strong reason to believe, has the influence of the landlords and land agents with the authorities of the Land Commission anything to do with the selection of the Court Valuers? We believe it has. If our belief is ill founded it would be wise for the Government to give some explanation on this Vote of the system on which they proceed. If explanation of that kind cannot be forthcoming I contend that our case is made out, and that the suspicion and distrust entertained by a vast body of tenantry in Ireland towards the administration of this Act is only too well founded. This is a very serious matter. The land business in the Courts is in a congested state, and appeal after appeal has been made to the right hon. Gentleman to increase the number of Sub-Commissioners. Complaints are constantly being made that the Sub-Commissioners do not go to such and such a district, or that the intervals between the visits are too long. All this shows the anxiety of the tenantry in Ireland to take advantage of the rent-fixing clauses of the Land Act, but if, in the appointment of the men who are to administer the Act, the selection is made on the recommendation of landlords and agents in order that they may minister to the greed of a territorial oligarchy, the Government will have made a mistake from every point of view. They will have made the people distrustful of the intention of the Government, and have gone far to destroy for ever the benefits that would otherwise have accrued from the beneficent legislation of 1881 and 1887.

(3.58.) MR. W. REDMOND (Fermanagh, N.): Reference has been made to the Ulster farmers and the meeting at Ballymoney, where resolutions of the strongest character were passed expressing dissatisfaction with the way in which the Protestant and Loyalist farmers have been treated by the Land Commission. But my hon. Friend need not have confined himself to the Ballymoney meeting. All over Ulster meetings of that kind have taken place, though the Conservative Ulster Members have always been absent, and resolutions have been passed calling on the Irish Land Reform Party to bring their grievances under the notice of Parliament. I happen to represent an Ulster constituency which has been considerably affected by the action of the Land Commission, and I should like, as an Ulster Nationalist Member, to give expression to the dissatisfaction which is felt generally throughout Ulster, although the farmers are not represented here. I can imagine nothing more calculated to open the eyes of the Ulster people to the futility of relying on their present line of action than the absence from the House of almost every Ulster Member when these subjects come on. What could be of greater advantage to

the tenant farmers of Ulster than a declaration upon the making of the Land Commission? But in spite of the importance of the matter to their constituents, there are but two representatives of the Ulster Tory Party present. I am sure the Protestant farmers of Ulster, and the so-called loyal minority, will take note of the absence of their Members, and at the next General Election many of them will record their votes in favour of Members who, whatever their faults may be, are always at their posts on occasions of this kind. The hon. Member for South Tyrone, who is supposed to represent the farmers of Ulster as a Liberal Unionist, is absent. Perhaps his interest in the Land Commission was directed to getting his brother-in law appointed thereto, and, having achieved his object, he cares little more about the matter. At any rate, the Vote is under discussion, and he is absent. I do not propose to enter into the various matters upon which dissatisfaction is felt with the Land Commission, but there is one point I desire to mention, and which I have made the subject of a question for to-morrow, and that is why the Land Commission have fixed the meeting of the Sub-Commission to be held at Enniskillen, to the great inconvenience of tenants, who will have to travel some 18 miles to have their cases heard. It is the cause of great dissatisfaction in my constituency, and possibly the Chief Secretary may be able to give me some reply now. It is an instance, among several, of how in small matters the Land Commissioners do not pay regard to the interest and convenience of the people who seek to have fair rents fixed. I will only add that, in making my protest, I feel that I am not only speakiug for those who vote for myself, but for those farmers who support the Conservative Party and whose Representatives are now absent.

(4.5.) MR. T. M. HEALY: It is a remarkable fact that this is the farewell Vote for the Land Commission. This is the last time we shall have an opportunity of discussing the policy of the Commission, inasmuch as the Chief Secretary proposes by his Land Purchase Bill that the salaries of the Commissioners shall be henceforth placed on the Consolidated Fund. For nine years the salaries of the Commissioners have appeared on the Annual Estimates, but the discussions have been so inconvenient to the Government and the Commissioners that the Land Purchase Bill will carry out the change I mention. Two of Her Majesty's Judges, members of the Superior Court in Dublin, two Bankruptcy Judges have had their salaries on the Estimates year by year, ever since the Bankruptcy Law was created, and no one dreamed of placing the charge on the Consolidated Fund, for bankruptcy is not an exciting political topic, but the right hon. Gentleman proposes in his Land Purchase Bill, if we meet in November to re-discuss it, to deprive us of this annual discussion of one of the main and leading grievances of Irish agrarian life, namely, the fixing of fair rents by the Land Commission. The Government, therefore, will not be surprised if we take a farewell glance at the conduct of the Land Commission, and, in the first instance, at the resignation of Mr. Judge O'Hagan, and the appointment of Mr. Commissioner Fitzgerald, who we may remember as one of the County Court Judges who, we were told, were not removable; but we find after a course of decisions under the Coercion Act in which he has upheld the findings of Resident Magistrates, Mr. Fitzgerald is promoted from a salary of £1,000 to £3,000 a year.

THE CHAIRMAN: The salary of the Judicial Commissioner is not included in the Vote.

MR. T. M. HEALY: He is not yet Judicial Commissioner; he takes the place of Mr. Litton, who takes the position of Mr. O'Hagan. I intend my remarks to be favourable to Mr. Fitzgerald, for I am bound to say that while he has acted in the strongest manner as coercion Judge, he has acted fairly as an agrarian Judge, and given excellent reductions of rents, while the last act of Mr. O'Hagan was to raise rents. The Land Commission is certainly not worse for the appointment of Mr. Fitzgerald. I think the Land Commission has been improved rather than injured by the appointment of Mr. Fitzgerald and the departure of Judge O'Hagan, under the constitution of the Court as it now exists. Judge O'Hagan is a poet and a very nice gentleman, but he has not a mind of his own, and anybody could work him round his finger. It will be better for the tenants to have

as Judge a man who, though he does not sympathise with them, has a mind of his own, as the present Commissioner, Mr. Fitzgerald, has. At the same time, I do not think Mr. Fitzgerald can be acquitted of a remarkably unfortunate procedure on the initiation of his appointment. I regret to think he should have accepted his appointment under circumstances that compelled him to put his name to a document such as that for the revision of rents—in other words, the raising of rents all over the country—when he could have known nothing of it, and when Mr. O'Hagan, as the last decent thing he did in his position, refused to sign the Schedule. It was a most extraordinary document that the Chief Secretary procured from the Land Commission, I presume, through the intervention of his favourite and ally, Mr. Wrench, when Parliament was deliberating on the Act of 1887. It was the most flagitious document ever emanating from a Judicial Body. They had the impudence to declare that the Bill was not consistent with the state of the law as it left the House of Commons, and they asked would the House of Commons be good enough to say what was meant. It was the most impudent document ever addressed to a Legislature. The Bill had not passed the House of Lords, and they called attention to the enormous responsibility thrown upon the Court, and expressed their opinion that more precise guidance should be given in an Act of Parliament—meanwhile, it was not an Act at all, but merely a Bill—as to the nature of the provisions to be applied to the reduction of judicial rents. That is the way the section presented itself to the Land Commissioners as a rent reduction Schedule. More precise guidance should be given as to the way in which judicial rents should be reduced—reduced, be it observed. The Chief Secretary has commended the document, and I really think he must have assisted in its compilation. As the Bill left the Commons, the Commissioners were to have regard to prices and produce. The House of Lords knocked out "produce," and confined the section to "prices" alone, and the Chief Secretary justified this on the ground that the Land Commissioners had called for it. What I said on September 7, 1887, I adhere to, that there was no worse instance of the decomposition of public life in Ireland than that a Judge of a Supreme Court should have put his name to such an unfortunate document. But this was the way it presented itself to the minds of the Commissioners at that time, a reduction of judicial rents. The moment the Bill came down to this House, with the clause altered, we stated at once it was a clause for raising judicial rents, and, will it be believed, that while the clause was intended to operate for three years, in two years out of the three the Commissioners have raised judicial rents, and Mr. O'Hagan, to his credit be it said, and certainly he is entitled to any small credit he can get from me, each time refused to append his name to a document raising judicial rents, and in December last resigned rather than give his name. Now, the Act says the Schedule must take effect within the years 1887–9, but the actual resignation of Mr. O'Hagan, and the appointment of Mr. Fitzgerald, did not take effect until January, 1890. I am not going to chop logic on the point; it is hardly worth discussing. My point is that whether the Schedule be legal or not—and that can only be tried by the House of Lords—at an expense, I suppose, of between £500 and £1,000 to test a question of a few pounds; in no case more than £8 or £9. Mr. Commissioner Fitzgerald took office on the resignation of Mr. Justice O'Hagan, and on the very day of his appointment put his name to a document assessing increases of rent in scores of Unions all over Ireland, the examination into which would occupy many weeks. Is that not a lamentable, a deplorable record to start with? I defy any hon. Gentleman opposite to say it was a reasonable thing for the Commissioner to put his name to a rent-increasing Schedule which Mr. O'Hagan refused to sign, a Schedule which should have necessitated the examination of thousands, I might say tens of thousands, of valuations and price lists. Does the right hon. Gentleman think that when rents are raised by a process of that kind, under a clause which the Land Commissioners described as a rent-reducing clause, it will bring satisfaction to Irish tenant farmers? The Chief Secretary in answering me will glide over the entire thing, but as life is short and everything must come to an end, the matter will

pass over, there will be another inch of dust over the grave of these discussions of grievances, and the whole thing will go on for another year. While I say this of Mr. Fitzgerald, I in no sense complain of his appointment. I think on the whole the appointment is a fair one, and, so far as I am able to judge, he will make an excellent Land Commissioner. But I do protest against his conduct in doing what I have described, and I have not the slightest doubt that, through Mr. Wrench, the signature to this document was the price of Mr. Fitzgerald's appointment. I really think that when they are so anxious to make law and order respected in Ireland it was a bad start for the Government to make with a new Commissioner, and they might have induced Mr. O'Hogan to carry on a little longer. There are hundreds of things of which we may be certain, though we cannot prove them, and we know well that the right hon. Gentleman was not willing that Mr. Litton should be appointed to Mr. O'Hagan's place. We know that he had other arrangements in contemplation, and but for the fact that Mr. Litton would have resigned his appointment as non-judicial Commssioner if he had not been appointed the Chief Secretary would never have appointed him. I think it is creditable to Mr. Litton that he is not in the favour of the Chief Secretary. So much in reference to that matter. With regard to the leaseholding section of the Act of 1887, renewed last year under the Expiring Laws Continuance Bill, I would appeal to the Government, in the interests of landlord and tenant alike, to renew the section for another year. Suppose a tenant goes into Court under a lease, and imagines himself to be a tenant, as for all rent-paying purposes he is, and ejectment proceedings may be taken against him, he, by reason of a technical point, the appeal being heard outside the time in which the lease may be broken, will have no remedy whatever. The Government are very slow in getting the judicial rents fixed, and it is very hard for tenants to be shut out for all time from their fair rent, because of the sluggishness of the Com mission. I hope we shall have a statement that the leaseholders' clause will be continued for another year, and I do not anticipate there will be any objection to that being done in the Expiring Laws Continuance Bill. There are one or two other matters to refer to. There is the insufficient appointment of Sub-Commissions and the manner in which appointments are made. There are cases have come under my notice in which tenants have been waiting three years as leaseholders to have fair rents fixed, and there are instances in which landlords' solicitors have threatened proceedings to recover rent, and it has turned out, when finally the fair rent application was heard, that the tenant had overpaid half-a-year's rent, the new rent dating from the date of the originating notice. I know another case in which, when matters came to be settled by the Commission, the tenant found the landlord was his debtor for two and a-half years rent, yet, all that time while hearing was delayed the tenant was liable to eviction. Scores of evictions have taken place merely in consequence of the inability of the Land Commission to grapple with its arrears of work, and we know that tens of thousands of tenants under lease may be prevented from re-habitating their position from this cause, and the section expiring at the end of the present year. I do trust the Government will do something in this matter. It is true the Government do something, and they do it in a very remarkable and inconsistent way. There is unsteadiness in the way in which they act. One of the most recent things that have come under the notice of those who watch the progress of affairs in Ireland is the unfair and entirely landlord character of all these appointments. Some people allude to the appointment of the brother-in-law of the hon. Member for South Tyrone (Mr. T. W. Russell). I do not complain of this. I am glad the hon. Member has a brother-in-law able to get something out of the great landlord party. In fact, it is a most reasonable appointment, for if a man works and slaves for the landlord party, it is a very hard thing if he cannot get a miserable £700 or £800 a year out of that party. I think there is no stronger proof of the kind of appointment made by the Government than the appointment of Colonel Bailey on Mr. Doyle's Commission. Colonel Bailey is a gentleman of landlord proclivities: he is an agent, but he is an honest man. He was appointed in 1881,

and if you turn to the Sub-Commission on which he sits in County Wicklow with two other gentlemen from the County of Cork, it will be seen that landlord as he is he is, nevertheless, obliged to differ from his brother Commissioners, and say that the rents are abominably high. The consequence is that Colonel Bailey is a marked man; his days will not be long in the land from a Sub-Commission point of view. We have heard of the "last sigh of the Moor," and if this Sub-Commission goes on in the way it is intended it should do, this may be the last sigh of the Irish peasant with regard to the fixing of fair rents in Ireland. Why is Mr. Doyle allowed to act in this way? Why do the Government keep him in Cork? Why not send him to Ulster? I should like to see him engaged in fixing rents in loyal Fermanagh or Down, where I think he would be tarred and feathered if he fixed in those places the rents he is fixing in County Cork. I have had under my notice a statement in reference to the father of Mr. Doyle, that he had on the mere word of Lord Portsmouth in the County of Wexford sold steadings and houses twice the value of the fee-simple of the soil without a tittle of legal protection, and that the son came down upon those who had acquired this property. That he, the son of a tenant farmer himself, should, for the sake of a few hundred pounds from the Government, desert his own kith and kin, shows the corrupting effect of the dog collar of Dublin Castle when once it is slipped over a man's head. We are told by the Chief Secretary that one complaint is that Catholics are not appointed, and that the major portion of these gentlemen are Protestants. We say, however, at any rate you might act honestly, and see that you get honest men to do your work. Instead of this you pick out the worst rack renters of the country from the landlords and agents, and these are the men you put on your Sub-Commissions. With regard to Mr. Wrench, I have no personal charge to make, but his position is a remarkable one. I remember reading about a stable boy who became Prime Minister, and one can understand how this happened; but how Mr. Wrench became a Land Commissioner at a salary of £3,000 a year is a strange illustration of the kind of flotsam and jetsom met with on the coast of Dublin Castle. A few years ago he had never been in Ireland. He wanted an agent for Sir Thomas Bray's estate. He advertised for a good man and took him down to his hut at Aldershot, on the principle, I suppose, that if you want to know what a man is you must see what he would do in a hut at Aldershot. He got Mr. Sub-Commissioner Crane, after a decision he had given, which was upheld by the Court of Appeal, removed from the district and sent to a new appointment, and now we find that whenever we get an honest man like Colonel Bailey he is to be Botanysed, or sent to a sort of Irish Botany Bay. The fixing of rents under circumstances like these can hardly command the confidence of the Irish tenants. The Government are well aware of all the circumstances, they know that rents are unpaid, and that the people are unable to pay them, and yet knowing what we do of Mr. Wrench he is to be placed at the head of the Land Commission. Up to the present moment, in spite of all his efforts, the Land Commissioners have held themselves independent, but they have not given satisfaction, and Mr. Wrench is to be appointed by the Government as the saviour of Ireland. I denounce these appointments, and every attempt that is made to screw up the rents. Of course the Sub-Commissioners are beginning to tremble in their boots, for they know that they are more removable than the Removable Magistrates. They may be dismissed at a day's notice. All I say is that the system of hunting Sub-Commissioners from pillar to post, discouraging them from honest administration of the Act, will do more to prevent a settlement of this question in Ireland than any other action of the Government. It is oppressive and irritating to rack-rent a man for 15 years, and then if he does not pay he is driven to the road side. You place a fine on him, and if he does not pay it involves, practically, sentence of death. So long as the present Government remain in Office these men do not expect any improvement. The right hon. Gentleman himself does not desire that these men should do anything more than practically leave things as they are. I must say he has set a very bad example to

his successors. He boasts that his successors will do just as they think fit. But the Conservatives will not always be in power, and the right hon. Gentleman's successors might appoint extreme men, not landlords, but tenant farmers and agitators, and members of the local branches of the National League. It must be remembered that 9 out of the 15 years have expired. In six years I can conceive a Liberal Government being in power. That is not a very strong assumption, and I say that if the bad example of the present Government in making unfair appointments is followed by their successors it will be disastrous to the landlords.

(4.50.) MR. DILLON: I wish to impress upon the Government the terrible evils which arise from the delay in settling fair rents under the Act. I have a letter from the County Clare from a tenant farmer. It says—

"Our case has been in Court for three years, and we have not been able to get a hearing."

The letter further states that the Sub-Commissioners had been in the neighbourhood, but had not called at Ennis, where the writer of the letter resides. That is a most extraordinary condition of things, and one which the Government are bound to explain. These men are suffering under a rack-rent, notwithstanding that their case was legislated for in 1887. If these men are evicted because of their inability to pay the rents, no doubt gross injustice will be done, and you will, no doubt, have agitation and boycotted farmers, all due to the mal-administration of Dublin Castle. Now, there is another matter. We have been accustomed, during the past year, to hear the boastings and felicitations of the right hon. Gentleman on the peaceful condition of Ireland. I admit that in considerable portions of Ireland peace has settled down upon the people. But the cause is that we have had, comparatively speaking, two good harvests. The Irish are a long-suffering people, despite all that is said to the contrary. When the small tenants are able to pay their rents, all the agitators that ever were born will not induce them to refuse. The fact is, there has been a sudden and phenomenal rise in prices; but, according to the best information I have been able to obtain, I believe the prosperity is only temporary. If we have a bad harvest, I venture to say that the Government will be plunged into a sea of trouble as great as ever they have experienced. It is undeniable that, during the last three years, the Government have promised a policy with regard to the appointment of Sub-Commissioners of a most factious and dangerous character. The result is, that there has been a marked increase in the standard of the judicial rents fixed. A more dangerous proceeding could not possibly be conceived. I say this, that if advantage is taken of the temporary prosperity of agriculture in Ireland to raise the rents, the Government will prepare for themselves a tremendous sea of trouble. The agitations of the future, like the agitations of the past, will result in bringing the rents down to a lower standard than before. The course has ever been in Ireland to resist reasonable demands peacefully made, and then, in the alarm caused by agitation, to yield more than was asked for in the first instance. The Government cannot manipulate the Commissioners, and prevent them doing justice between landlord and tenant, without expecting to have Nemesis upon them. Past history should have taught that prices were too high, and we have warned you that this may prove disastrous to the landlord class. What else can be expected? If the policy of the Chief Secretary is to be pursued to the end, we may not be able, with our utmost influence, to secure the carrying out of that policy of moderation and fair play we wish to see maintained. Let me draw attention to a remarkable fact in connection with the administration of the Sub-Commissioners. My hon. and learned Friend (Mr. T. M. Healy) mentioned the name of Colonel Bailey as a Sub-Commissioner who has the confidence of the Irish people. He is not a class representative, he is not in that sense a friend of the farmers; he is a Protestant gentleman, a landowner in County Wicklow, and I understand, though I have no personal acquaintance with him, a Conservative in politics. From the time of his appointment, in the early days of the Commission, he has continued to enjoy the confidence of the people of Ireland. There is another name to be mentioned with honour whenever the work of the Land Commission is dis-

cussed, that of the lamented Mr. Reeves. He died a short time ago, and the Irish people were deprived of one of the most upright honourable Judges connected with the Land Court. Mr. Reeves was a Conservative gentleman, a landlord owning property in County Clare, and he was appointed by the Liberal Government in pursuance of their policy in mixing their Commission by appointments from either political Party. From the day he took his seat on the Bench down to the time of his lamented death Mr. Reeves was respected, beloved, by Irish tenant farmers. Now, what do I argue from this? That there is truth in that often quoted saying of that famous Attorney General, Sir John Davis, uttered 200 years ago, that in his experience there was not a nation under the sun appreciated even-handed justice more than the Irish people. Here are instances of two Protestant Irish landlords, honourable men, doing justice in their position, revered and respected by the people, who never quarrelled with their decisions. I say deliberately that there would have been no objection if the Government had appointed half-a-dozen such Sub-Commissioners. There would have been no protest from tenant representatives. But the Government did nothing of the sort. They selected men whose records were not clean, men who were rack-renters, or the friends of rack-renters, and we had the discreditable spectacle in Ireland of men sitting on a so-called Bench of Justice, fixing fair rents for farmers, while their own rents were being reduced 30 or 40 per cent. in another county. So long as the power of manipulating Sub-Commissions is in the hands of men such as Mr. Wrench, so long will you have agitation continue, and the rents fixed will not be regarded as judicial rents, but as rents settled under form of law to suit the wishes of the landlord class. My hon. and learned Friend has alluded to the well-known fact that Mr. Wrench deliberately broke up two Sub-Commissions, which had been in operation for three or four years, and was composed of men who had worked harmoniously together and given the greatest satisfaction. That was what he was brought into office to do. Everybody knows of the indignation, the rage of the Irish landlords, at the decisions of Colonel Bailey's Sub-Commission, and hence it was that by Mr. Wrench this and another similar Sub-Commission was dissolved, and its members distributed among other Sub-Commissions, where their impartiality will have less influence. I will say no more on this point—this fair-rent fixing part of the Commission. I will leave that subject, merely saying that at enormous expense, frightful expense, you are carrying out this system of fixing fair rents in such a way as to prepare a certain ground for future violent agitation, such as from time to time has occurred in the past history of Ireland. I now turn to the Land Purchase Department; and, willing as I am that this Vote should be taken to-night, I regret that there is not more time to bring on questions now at issue in reference to this Department. I regret it the more because this question has enormous importance in view of the intention of the Government to bring on a Land Purchase scheme of gigantic proportions, a scheme which, if passed, will make land purchase by far the most important part of the work of the Commission. A struggle is now going on whether the Treasury of this country shall be grossly swindled or not. First of all let me refer to the judgment of Commissioner J. G. McCarthy, delivered a fortnight ago, as to the sale of farms of substituted tenants. In this judgment, Mr. McCarthy lays down a most important principle—a principle which, I think, is absolutely essential to the due administration of a Purchase Act, if any regard is to be had at all to the safety of the Treasury. But, Sir, I find that to enter upon this must needs be a long discussion, and it is a vital question. I do not wish to prevent the Vote being taken this evening, and so I will defer the question to the Report stage, which I will ask the Government to take at a time to allow of discussion.

(4.12.) MR. A. J. BALFOUR: The Report, no doubt, will be taken at a time to allow the opportunity for discussing a single question of that kind. Speeches have been made on points of detail, but I do not think hon. Members will desire that I should now traverse the whole ground, but I can assure hon. Gentlemen opposite that I have done my best to secure that such

appointments should be made as would ensure the Act being justly and impartially administered. I fear that in regard to the fixing of rents it would be difficult, under any circumstances, to obtain a general agreement as to the justice of the tribunal.

MR. T. M. HEALY: In reference to my inquiry as to the leaseholders' clause being excluded in the Expiring Laws Continuance Bill?

MR. A. J. BALFOUR: That will be so.

Vote agreed to.

3. £66,117, to complete the sum for the Dublin Metropolitan Police.

4. £56,250, to complete the sum for Reformatory and Industrial Schools, Ireland.

5. £4,540, to complete the sum for the Dundrum Criminal Lunatic Asylum, Ireland.

Resolutions to be reported To-morrow.

Committee to sit again to-morrow.

COURT OF CHANCERY OF LANCASTER BILL [LORDS].—(No. 363.)

Considered in Committee, and reported, without Amendment; read the third time, and passed.

SHREWSBURY AND HOLYHEAD ROAD (ANGLESEA AND CARNARVON) BILL.—(No. 377.)

Bill read a second time, and committed for to-morrow.

SUPPLY—REPORT.

Resolution [15th July] reported.

CIVIL SERVICE ESTIMATES, 1890-91.

CLASS III.

"That a sum, not exceeding £50,577, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1891, for Criminal Prosecutions and other Law Charges in Ireland."

Motion made, and Question proposed, "That the House doth agree with the Committee in the said Resolution."

*(5.18.) MR. H. J. WILSON (York, W.R., Holmfirth): In Debate in Committee, language used by Lord Spencer was quoted as approval of the practice of jury-packing as carried out at Maryborough last October, and I now wish to point out what I was not prepared to do at the moment that Lord Spencer specially reserved matters referring to three important points, and these reservations show that his words are in no way applicable to the trials at Maryborough. In the first place, Lord Spencer expressly limited himself to Dublin, and did not refer to other parts of the country. Then Lord Spencer said that his Government did take precautions to prevent publicans and farmers in isolated positions being placed on juries in certain cases. From what I know of Queen's County, and from information furnished me by others better acquainted with the county than I am, I can say that among these jurors, all of whom must be rated at either £50 or £100, there were no such cases of farmers in isolated positions among those who were challenged, and not a single publican appeared on the list. The Attorney General for Ireland would do well to be more careful in his quotations the next time he cites Lord Spencer in defence of such proceedings as those I witnessed at Maryborough. There is another point of considerable importance in reference to the reply made by the Attorney General for Ireland. As justification of the course pursued the right hon. and learned Gentleman said that the prisoners, after the trial of two of their number, pleaded guilty, but he did not say to what charge they pleaded guilty, and the context of his speech would give a false impression to those who did not follow the actual facts. In the first case, that of William Coll, the charge of wilful murder, was made, and a verdict of manslaughter, brought in. In the second case, that of Gallagher, the jury disagreed. Now, there were six others who had been sent there on a charge of wilful murder, and these pleaded guilty to manslaughter, getting what may be considered, under the circumstances, very harsh sentences. Against one of the accused, William Ferry, the Crown did not proceed. Then nine other persons pleaded guilty to misdemeanour, obstructing the execution of a warrant, and in four cases the Crown abandoned prosecution. Lastly, there was the case of the Rev. Father M'Fadden. The first charge against him was wilful murder, then the Crown altered

the charge to conspiracy to murder, and what finally he pleaded guilty to was merely obstructing the police, and he was released on his own recognisances. I cannot, therefore, see how the right hon. and learned Gentleman can find any justification for the course pursued in the fact that persons charged with wilful murder were ultimately allowed to plead guilty to a charge of obstructing the police. I have thought it right to make this explanation, because I think the statement of the Attorney General for Ireland might lead people ignorant of the facts to suppose that the prisoners pleaded guilty to the charge of wilful murder.

Resolution agreed to.

SUPPLY [14TH JULY]—REPORT.

Order for further consideration of postponed Resolution read:—

"That a sum, not exceeding £24,661, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1891, for the Salaries and Expenses of the Office of Public Works in Ireland."

Motion made, and Question proposed, "That the House do agree with the Committee in said Resolution."

(5.29.) MR. T. M. HEALY: I have to call attention to what I conceive to be a most remarkable instance of the way in which the Government have allowed legislation passed last year to become a dead letter. I do not know whether Members remember some exciting scenes here on a Saturday in Augnst last year on the discussion of the Public Works Loans Act, when the Chancellor of the Exchequer attempted without a word to drop a clause from that Bill in collusion with the hon. Member for South Hunts and others. It had been decided in Ireland that when loans are advanced by the State to the tenant, and then the tenant is evicted by the landlord, the landlord should get the whole benefit of the loan obtained by the tenant in the way of buildings or drainage, not having a penny to pay the State, but getting the land free of all encumbrance. Of course, that was putting a premium on eviction. This puts a premium upon eviction, because if a tenant borrowed £500 from the Board of Works for drainage and buildings, the landlord, if he fell into arrear, would be entitled to serve him with a notice, and evict him. Evictions of this kind, with the object of grabbing the money of the State, have been perpetrated in Ireland, and since the recent decision the State has been wholly unable to recover one penny from the landlord. Last year the Government brought in a Bill providing that the moment the tenant was evicted the loans should be recoverable as against the landlord, thus giving the tenant something like security in his holding, and giving the landlord no temptation to evict. But the moment this clause was proposed the Chancellor of the Exchequer moved its omission in order that it might be re-cast, and made to apply to future loans only. We resisted that, and a compromise was agreed to, to the effect that the Valuation Commissioners should fix the value of the improvements. If a tenant borrowed only £500 from the State, and the improvements were only worth £150 or £200, it was thought it would be unfair to tax him with the full amount. So anxious were we that equity should be done that we assented to the compromise. The moment the House met this year I asked the Attorney General for Ireland what had been done to enforce the law. The question will be found in Vol. 2, page 853, of this year's *Hansard*. The right hon. and learned Gentleman replied that he had made inquiry on the subject, and that since the passing of the Act only two cases, which were still under consideration, had come before the Board. Observe, Sir, "since the passing of the Act." Other cases must have occurred previously. I asked him whether the Board of Works would allow the Act to remain a dead letter, or would compel the Magistrates to disgorge. The Attorney General replied that he had no doubt the attention of the Commissioners would be drawn to the question. The hon. Member for West Cork (Mr. Gilhooly) yesterday, or the day before, put a question to the Secretary to the Treasury (Mr. Jackson) on three specific instances. The answer of the right hon. Gentleman was most unsatisfactory, because he practically said he knew nothing whatever about it. I put it to the House whether common honesty towards the State might

not be observed, and whether some attempt ought not to be made to compel the landlord to pay the amount due to the State. You are very ready to charge the tenants with dishonesty, but here you are yourselves neglecting to prevent dishonesty on the part of the landlords. We detected you last year in an attempt to prevent this clause being made retrospective. We caught you in the act. The incident is reported in *Hansard*, vol. 406, page 434, of last year. My hon. Friend the Member for West Belfast (Mr. Sexton), myself, and others, made a vigorous fight, and, after a long discussion, the Chancellor of the Exchequer gave way. His words are thus reported :—

"Mr. Goschen: If we can remedy the retrospective character of the clause that is all we desire. We will consent to report Progress, and I will endeavour on Monday to see whether we can deprive the section of its retrospective character."

But you did not alter it. The section stands as it was originally proposed, with the subsequent qualification that the valuation was to be assessed by the Valuation Department under rules which were to be made. I would like to know whether those rules have been made. I ask for a Return of all the money the State has lost by reason of the merging of the two estates in the landlord's hands. There ought not to be one law for tenants and another for landlords.

(5.41.) Mr. MADDEN: The Section to which the hon. and learned Member has drawn attention referred to loans made to tenants under the Act of 10th Vict. It was decided that these loans were made to the tenants on the security of the tenants only, that the landlord was not privy to the loan, and if from any reason the tenancy expired, and the security came to an end, there was no further security. It was to meet this that the Act was introduced, and it provided that the charge should become a charge on the estate of the landlord, but only to the extent of the improved value. As to the extent to which this has been actually worked, I have, of course, no information. I have communicated with my right hon. Friend (Mr. Jackson), and we are ready to grant a Return of cases under the Act to which the provision of last year would be applicable. I should prefer the hon. and learned Gentleman to frame the Return.

(5.42.) Mr. T. M. HEALY: I have no option but to accept the Return, but I take the right hon. Gentleman's statement as an admission that the law has been allowed by the Government to fall into contempt, and that they have done nothing whatever to make the landlords pay their full and just share.

Resolution agreed to.

CONSOLIDATED FUND (No. 2) BILL.

Bill read a second time, and committed for to-morrow.

PUBLIC HEALTH ACTS AMENDMENT BILL.—(No. 290.)

Order read for consolidation of Bill, as amended.

Mr. KELLY (Camberwell, N.): I object.

The PRESIDENT of the LOCAL GOVERNMENT BOARD (Mr. Ritchie, Tower Hamlets, St. George's): My hon. Friend's objection may prevent a most useful measure being passed. It is most desirable, in the interest of the public health, that the Bill should become law, and I hope my hon. Friend will not persist in his objection.

Mr. KELLY: I object.

Consideration, as amended, deferred till to-morrow.

PUBLIC LIBRARIES ACTS AMENDMENT BILL.—(No. 167.)

Order for Consideration, as amended, read, and discharged.

Bill re-committed in respect of two new Clauses and the Preamble.

Instruction to the Committee that they have power to insert Clauses to enable persons holding land for public, ecclesiastical, parochial, charitable, or other purposes, to grant such land for library purposes, and to extend the provisions of 18 and 19 Vic., c. 70, s. 18, to the Metropolis.—(*Sir John Lubbock.*)

Bill considered in Committee, and reported; as amended, considered; read the third time, and passed.

REMOVAL TERMS (SCOTLAND) ACT (1886) AMENDMENT BILL.—(No. 342.)

Bill considered in Committee, and reported, without Amendment.

Bill read the third time, and passed.

BIRSTALL WESLEYAN CHAPEL TRUSS SCHEME CONFIRMATION BILL.—(No. 368.)

Bill considered in Committee, and reported, without Amendment.

Bill read the third time, and passed.

BANKRUPTCY (SCOTLAND) BILL. (No. 218.)

Order for Second Reading read, and discharged.

Bill withdrawn.

POOR LAW AMENDMENT BILL. (No. 49.)

Order for Second Reading read, and discharged.

Bill withdrawn.

GLEBE LANDS BILL.—(No. 160.)

Order for Second Reading read, and discharged.

Bill withdrawn.

MERCHANT SHIPPING ACT AMENDMENT (No. 2) BILL—(No. 317.)

SECOND READING.

Order for Second Reading read.

*MR. HOWELL (Bethnal Green, N.E.): I hope the House will allow this Bill to be read a second time, in order that it may be amended in Committee.

MR. CRAIG (Newcastle-upon-Tyne): I object. The Bill was only printed this morning, and I think it desirable that shipowners should have a glance at its contents before it is read a second time.

Second Reading deferred till to-morrow.

AGRICULTURAL COMPENSATION PROCEDURE BILL.—(No. 343.)

SECOND READING.

Order for Second Reading read.

MR. CHANNING (Northampton. E.): This Bill provides for an assimilation of the law between England and Scotland, and I hope the House will consent to the Second Reading.

MR. J. KELLY: I object.

MR. CHANNING: Then I must withdraw the Bill. I deeply regret the action of Her Majesty's Government in not helping the passage of a Bill which would have the effect of enabling farmers to obtain their compensation more cheaply and expeditiously. Next Session I will move for leave to introduce a Bill dealing on wider lines with the whole question.

Order for Second Reading discharged.

Bill withdrawn.

FOREIGN JURISDICTION (CONSOLIDATION) BILL [LORDS].

Bill read the first time; to be read a second time upon Friday, and to be printed. [Bill 383.]

House adjourned at Five minutes before Six o'clock.

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APPENDIX.

PROCEEDINGS OF STANDING COMMITTEES.

HOUSE OF LORDS.

STANDING COMMITTEE FOR BILLS RELATING TO LAW, &c.

Tuesday, July 8th, 1890.

LORD HERSCHELL IN THE CHAIR.

SETTLED LAND BILL.

Clauses 1, 2 and 3 agreed to.

Clause 4—

LORD SELBORNE: There seems to be a want of definiteness in the words, "as part or by way of any family arrangement." No doubt there is a class of cases known to the Courts of Law in which the expression has been very frequently used; but, on the other hand, it might be advisable to include under this Clause instruments which do not embody any family arrangement at all. I will put a case to illustrate what I mean. Suppose a tenant for life is very much in debt, and that in order to secure the means of living he makes some arrangement for a re-settlement with the person entitled to the reversion, who gives quite full value for what is done. Practically he is entitled to such valuable consideration, and not only in a nominal, but, it may be, in a very substantial sense. I suppose that would come within these words?

THE NOBLE CHAIRMAN: As far as he paid money I suppose he would be a mortgagee.

LORD SELBORNE: I am not supposing a case in which he would have a right to receive payment in any shape, but a case of a re-settlement made between the parties for valuable consideration. That would come within the Clause—I do not say it ought not.

THE NOBLE CHAIRMAN: If it were all done under one deed, the re-settlement would come under these words. This, I should think, is only designed to apply where a family arrangement, which is in reality a settlement, is carried out by more than one instrument.

Lord SELBORNE: I should have thought that that would be the law at present.

The Noble CHAIRMAN: Some doubt has been suggested about it. Suppose a tenant for life settles pin-money on his wife without power of anticipation——

Lord SELBORNE: I doubt whether that would come under these words.

The Noble CHAIRMAN: If there were consideration money.

Lord SELBORNE: That would be quite another matter. My only reason for raising the question is that one does not carry in one's mind all the cases which might fall within these words.

The Noble CHAIRMAN: The object, no doubt, is to sweep in everything except the case of a purchaser or mortgagee.

Lord SELBORNE: The present Act includes, or is meant to include, I suppose, everything commonly coming under the denomination of a settlement; and beyond doubt most settlements might be called family arrangements, especially those which are by way of re-settlement upon a tenant in remainder coming of age and so on. I think those are all within the present law. But there is something which is supposed to be omitted which ought to be included, and which this Clause is to provide for. What I want to know is, exactly what cases are had in view.

Lord THRING: This clause debars persons holding under such an arrangement from using the powers created by the Act of 1882.

The Noble CHAIRMAN: A person who takes an assignment or charge from the tenant for life under the 50th Section of the former Act, is enabled to stop any power of sale in the tenant for life. This clause is intended to alter that. Of course a person will have the same charge against the money that he would have against the land, but the power of sale would still be left in the tenant for life. That is the object. However, perhaps the best plan will be to leave the words as they are for the present. Before the Bill comes into Committee of the whole House, I will consider with the draughtsman the points put by my noble Friend, and see whether any better words can be provided.

Clause agreed to.

Clauses 5 to 8 agreed to.

The Noble CHAIRMAN: After Clause 8 I move to insert a new clause ("Power to reserve a rent-charge on a grant in fee simple.") It enables, on a grant for building purposes by a tenant for life, a rent-charge in fee simple to be reserved, issuing out of the land conveyed, and with all necessary powers and remedies for recovery thereof.

Lord SELBORNE: According to the practice of Lancashire.

The Noble CHAIRMAN: Yes. My attention has been called to it from more than one part of England. It will avoid many difficulties which arise out of leasing. I am told that in many cases you cannot sell a piece of land for building purposes; the builders have not the money for purchase; but if they could get it on a perpetual ground-rent of this description they would be able to build, and would probably prefer building on those terms to doing so upon the leasehold sytem, to which sometimes both the tenant for life and the builders have objections. It could not do any harm to the estate, and I believe in many cases it would be a very great advantage. This is really selling the land for an annual rent in perpetuity, instead of selling it for a sum down; that is what it comes to. It is like a Scotch feu.

Lord SELBORNE: I suppose the principle of this new Clause would be attacked by those who think that all ground-rents should be the subject of some special tax.

The Noble CHAIRMAN: It is the same thing for the inheritance whether the land is sold for a sum down, or is let at a rent which represents what the sum down, if properly invested, would bring in. If you have a well-secured £2. 15s. a year ground rent, it is just as good as if you take £100 down and invest it in Consols. It is the same thing so far as the inheritance is concerned. This

Clause does not prevent the tenant for life leasing, if he can make that arrangement more advantageously, but it substitutes for the power of sale out and out for a lump sum the power to sell for an annual rent.

LORD SELBORNE: There are parts of the country where it is very difficult to sell on any other terms.

THE NOBLE CHAIRMAN: Exactly.

New Clause—

"Where, on a grant for building purposes by a tenant for life, the land is expressed to be conveyed in fee simple with or subject to a reservation thereout of a perpetual rent or rentcharge the reservation shall operate to create a rentcharge in fee simple issuing out of the land conveyed, and having incidental thereto all powers and remedies for recovery thereof conferred by Section 44 of the Conveyancing andLaw of Property Act, 1881, and the rentcharge so created shall go and remain to the uses on the trusts and subject to the powers and provisions which, immediately before the conveyance, were subsisting with respect to the land out of which it is reserved."—*(The Lord Herschell.)*

Agreed to and added.

Clause 9.

THE NOBLE CHAIRMAN: Sub-section 3 of this Clause excludes from the definition of "principal mansion house" any house, the site of which, and the pleasure-grounds, park, and lands usually held therewith do not exceed 100 acres in extent. I have to move to leave out "100" and insert "25." My attention has been called to the fact that in many cases where there is only one house on the settled property, although the surrounding land is of very limited extent, the house should be deemed the principal mansion house within the meaning of the Act. I am told that the object in view can be attained without putting in so large a quantity as 100 acres, and that 25 acres will fully meet all the difficulties that have arisen.

Amendment moved in page 3, line 6, to leave out, "one hundred" and insert "twenty-five."—(*The Lord Herschell*); agreed to.

Clause, as amended, agreed to.

Clause 10—

The NOBLE CHAIRMAN: This is a Clause which enables a tenant for life finding it necessary to raise money for any of the purposes for which he is allowed to sell any part of the settled land, to raise it by way of mortgage instead of sale. The reason for that is this: that very often, although the property is considerable, a comparatively small sum is required for the purpose of some necessary improvements. Very often it is difficult to find part of the property which could be sold with anything like a decent advantage, and it would be greatly to the benefit of the estate to raise the money on mortgage instead of by sale. That is the object of the Clause. But it has been represented to me (indeed, my noble and learned Friend the Lord Chancellor called attention to it on the Second Reading of the Bill) that this may be said to be to some extent running counter to the objects of this Bill, inasmuch as the result would be that the remainderman would get the estate burdened with a charge instead of the estate, to some extent reduced, but without any charge. To meet this, I propose to limit the provison in this Clause in a way which I think will remove all objections to it. One object of this Clause, I think, with which everyone will agree is this: at present the land cannot be re-mortgaged, that is to say, mortgages cannot be consolidated, although the tenant for life might, by getting a new mortgage and paying off the existing mortgages, reduce the interest from 5 to 4 per cent. One of the main objects of this Clause is to enable him to do that. In order to guard against any improper use of this power, I now propose an amendment, providing that, except where the money is required for the purpose of discharging an encumbrance, an order of the Court shall be required declaring that it is for the advantage of all persons interested under the settlement that the money shall be raised.

Amendment moved in page 3, at end of Clause 10, to add—

"(2.) Except for the purpose of discharging an incumbrance on the settled land, or part thereof, money shall not be raised under the power conferred by this section without an order of the court declaring that it is for the advantage of all persons interested under the settlement that the money should be so raised."—(*The Lord Herschell.*)

The Marquess of BATH: The provisions of the Act of 1882 are directed to farmhouses and drainage. Of course, there are other things, but those are the principal ones. It is obvious that there should be power, in the general interests of the estate, to raise money for the purpose of paying off existing incumbrances; but I am not quite clear that there should be power given to the Court to authorise the raising of money for other purposes. How can the Court obtain its information? Only by the evidence brought before it by the tenant for life, and he will bring forward his agent, who will declare what are the necessities of the estate. The temptation of agents is very strong to spend money. The great difficulty of the landed proprietor is to ensure that his agent does not spend too much money. The principal blot on the Act of 1882 is, that it enables capital money to be spent for improvements which are not durable, whereas the charge created on the estate lasts for ever. You are now extending that. I maintain that it is useless attempting to guard against this evil by requiring an order of the Court, because, unless the remainderman is sufficiently wealthy to be able to employ agents and valuers on his side, the Court will have no means of information, except that which is brought before it by the tenant for life, whose agent probably is distinctly interested, not in the practical welfare of the property, but in the amount which he can spend upon it.

Lord SELBORNE: I think there is something in what the Marquess of Bath says as to there being many cases in which the inquiry would be of a one-sided kind. I should like to know how this provision will affect the operation of the Land Improvements Act. Under that Act, for purposes pretty much the same, power is given to raise money, but it is upon the terms of there being a payment which would cover interest and redemption money. Is there really any clearly sufficient reason for not relying upon those powers except in the case of consolidation of incumbrances, which we are all agreed about?

The Marquess of BATH: The old Land Enclosure Commissioners, who had power to permit the advance of money on terminable authorities, had an independent means of obtaining information. They sent their inspectors down in the first instance, and approved the work, and from time to time approved the progress of the work. But the Court here has no means of obtaining independent information on the subject.

The Noble CHAIRMAN: Would it meet the difficulty if, instead of the Court, we put in the Land Commissioners?

The Marquess of BATH: They would certainly have powers of investigation which the Court has not.

The Noble CHAIRMAN: That would not get rid of the objection that it would be to the interest of the agents of the tenant for life to have as much money as possible spent.

Lord MACNAGHTEN: The tenant for life, as a reasonable being, will do the best for his property. You already have practically the same thing under Lord Cairns's Act; it is a very small alteration that you are making.

The Marquess of BATH: The great object, of course, is to preserve the estate free from incumbrances, and any provision which involves any exception to that should be carefully safeguarded.

Lord SUDELEY: I understand Lord Herschell's view is that this power should only be used when it is quite clear that it will be impossible, unless you sell a portion of the land to the detriment of the estate, for the improvements to be made.

THE NOBLE CHAIRMAN: Under Sub-section 2 of Section 26 of the Settled Land Act, the Trustees can only apply the money towards the whole or part of an improvement—

"(1) On a certificate of the Land Commissioners that the operation has been properly executed, and what amount is properly payable by the Trustees in respect thereof. . . . (2) On a like certificate of a competent engineer or able practical surveyor nominated by the Trustees, and approved by the Commissioners, or by the Court; (3) On an Order of the Court directing or authorising the Trustees to so apply a specified portion of the capital money."

So that they cannot spend it on improvements at their own will. The Land Commissioners, or persons substituted for them and approved by them, have to be satisfied that the money is properly expended, and that such and such an amount is properly chargeable to the Trustees.

LORD SUDELEY: Does not that rather confirm the suggestion that instead of the Court we should substitute the Land Commissioners?

THE NOBLE CHAIRMAN: Yes: I have no objection to that.

A NOBLE LORD: How does the Clause differ from the existing power under the Land Improvement Act?

LORD SELBORNE: It differs very much, I think, to the disadvantage of the remainderman. Under the Land Improvement Act, the whole sum would be paid off in a certain number of years. This may go on for ever.

THE NOBLE CHAIRMAN: It may go on for ever; but, on the other hand, suppose you can only raise the money by selling a portion of the estate. It may be very much more to the advantage of the remainderman that you should raise upon mortgage, say £3,000, than that you should sell as much of the property as would bring in £3,000. It is, in fact, because in many cases it would be much more to the general advantage of the estate that I have been asked to press this Clause.

THE MARQUESS OF BATH: I doubt very much its advantage. There is another very curious question here. What is the meaning of the word "encumbrance"? Is it merely a mortgage, or would it include a terminable annuity charged on the land for a term of years?

EARL BEAUCHAMP: I think it is very undesirable to give powers to raise money by way of mortgage for improvements which are always of a perishable character. If Lord Herschell will limit his amendment to raising money for the consolidation of existing encumbrances there will be no objection to it.

THE NOBLE CHAIRMAN: In reply to the observation of the Marquess of Bath, I should certainly say that a terminable annuity would not be an "encumbrance" within the meaning of this section.

LORD SELBORNE: Is the word "encumbrance" defined anywhere? There should be provision against any inducement to get rid of the burden at once instead of by instalments.

THE NOBLE CHAIRMAN: I will propose words that will meet that. I think it will be better to leave in the words that I now propose to substitute for my amendment, and I will consider before the next stage whether there is necessity to define the word "encumbrance."

Amendment by leave withdrawn.

Another Amendment proposed, in page 3, at end of Clause 10 to add—

"Where money is required for the purpose of discharging an incumbrance on the settled land or part thereof, the tenant for life may raise the money so required on mortgage of the settled land, or of any part thereof, by conveyance of the fee-simple or other estate or interest the subject of the settlement, or by creation of a term of years in the settled land, or any part thereof, or otherwise, and the money so raised shall be capital money for that purpose, and may be paid or applied accordingly."—(*The Lord Herschell.*)

Agreed to.

Clause 11 agreed to.

Clause 12—

LORD SELBORNE: I suppose nobody would object to "bridges" as improvements; but I confess I am astonished at the next definition—

"Putting the settled land or any part thereof in the condition necessary or proper to enable the same to be let to the best advantage to agricultural or other tenants."

That cannot mean building, because building is provided for in what follows.

THE NOBLE CHAIRMAN: I have an Amendment to propose which would make it read "in the condition *reasonably* necessary or proper."

LORD SELBORNE: Even then I think the principle of the objection I at present feel would not be removed. It must mean in substance taking the land in hand, cleaning it out of weeds and putting it into a good agricultural condition, which is a very transitory operation and should be done by the tenant for life at his own expense.

THE MARQUESS OF BATH: The tenant for life might say, "The land as it was was not worth 5s. an acre: I put bones upon the land and vastly improved it." No doubt it would be an improvement, but the value of the bones—particularly if the land is not properly farmed—does not last more than five or six years.

LORD SELBORNE: The principle, as I understand, in the former Act is, permanent improvements. Surely putting the land into proper condition for agricultural purposes is not a permanent improvement.

EARL BEAUCHAMP: Besides, if the tenant for life has allowed the land to get into an unfit condition, it is his own *laches*.

THE NOBLE CHAIRMAN: Has not the public some interest in the land being in a condition to be let? These arrangements are no doubt very nice between tenants for life and remaindermen, but has not the public some interest in seeing that there should be some means of putting the land in a condition reasonably necessary in order that it should be let, so that the land of this country should not become derelict because of these arrangements between tenants for life and remaindermen?

LORD SELBORNE: That may be a forcible way of putting the argument against permitting settlements, but whilst you have settlements I do not think an abstract argument of that kind has any great weight.

THE LORD CHANCELLOR OF IRELAND (LORD ASHBOURNE): I think it would be better to leave out the whole sub-section. I agree entirely with the objections raised by Lord Selborne. The estate would be charged for an indefinite time for improvements of a most transitory character. The objection, I think, applies also to the third sub-section, but certainly it is unanswerable to this one.

THE NOBLE CHAIRMAN: It must be remembered that the money could only be expended on a certificate of the Land Commissioners or an Order of the Court, and security would, no doubt, be taken that only proper expenditure was allowed. Improvements of a merely temporary nature would be treated as a tenant for life's expense.

LORD ASHBOURNE: If this sub-section stands it will be a statutory declaration that if the Court determines that the improvement is necessary it must be allowed.

THE NOBLE CHAIRMAN: No doubt, what the Court would have to see would be that it was necessary (or, as I propose presently to alter it, that it was "reasonably necessary")—that is to say, that the land could not be let without it.

LORD ASHBOURNE: Then the Court would make the order, although it might be satisfied that the improvement was such that any prudent tenant for life should have made out of his own income.

Amendment moved in page 3, line 34, after the word "condition" to insert the word "reasonably."—(*The Lord Herschell.*)

Agreed to.

Amendment moved, in line 35, to leave out the words "the best advantage to."—(*The Lord Herschell.*)

Agreed to.

On question, "That sub-section (ii.) as amended stand part of the Bill," the Committee divided:—Contents, 2; not-contents, 10.

Sub-section omitted.

SUB-SECTION (III.):—Amendment moved, in line 37, after the word "buildings" to insert the word "reasonably."—(*The Lord Herschell.*)

Agreed to.

Amendment moved, in line 38, to leave out the words "to the best advantage."—(*The Lord Herschell.*)

Agreed to.

On question, "That sub-section (iii.) as amended stand part of the Bill," the Committee divided:—Contents, 13; not contents, 2.

SUB-SECTION (IV.):—Amendment moved, in page 4, line 3, to leave out the words "for buildings."—(*The Lord Herschell.*)

Agreed to.

THE NOBLE CHAIRMAN: The Lord Chancellor, who is not able to be here, asked me to make a suggestion to the Committee. Under the Settled Land Act as it as present stands you may build cottages to accommodate farm servants and artisans. It is suggested that there ought to be a power to build residences for agents, bailiffs, overseers, or foremen or others proper to be employed on the settled land. My noble and learned Friend thinks that that should come within the same purview with offices and cottages for labourers and farm servants, and that it is a power that it would be expedient to give.

LORD SELBORNE: One might almost suppose that that is already covered by the word "farm-servant"; but if the Lord Chancellor thinks that "farm-servants" properly construed would not cover bailiffs and so on, we had better have it made clear.

THE NOBLE CHAIRMAN: It might be, "Houses for agent, bailiff, officer, foreman, or other servant proper to be employed on the settled land."

THE MARQUESS OF BATH: If the Committee had seen as much as I have seen of landowners (not small, but large) who have been built or improved out of their property in the South of England, in Wiltshire and Dorsetshire, they would be most reluctant to give these powers.

EARL BEAUCHAMP: I am quite sure it is contrary to public policy to allow anybody to indulge his architectural tastes at the expense of the estate. This would, I think, be a very dangerous power to give.

LORD ASHBOURNE: We might suppose the case of a childless tenant for life, who has an agent with a big family and with extravagant tastes, and who would only be glad to have a big house built for him.

THE NOBLE CHAIRMAN: Perhaps I had better leave that until the Lord Chancellor can personally explain his views. I now have to move in page 4, line 5 at the end of the Clause to add "(v.) Restoration and rebuilding of buildings damaged or destroyed by fire."

THE MARQUESS OF BATH: I think this would be a very dangerous Clause indeed. Buildings should be insured in insurance offices. To give power to rebuild at the expense of the estate buildings destroyed by fire would be to whittle away the estate.

The Noble CHAIRMAN: If the tenant for life is under an obligation to insure, he is bound to expend the insurance money on rebuilding. If he is not under an obligation to insure and rebuild, he may insure and put the insurance money in his pocket, and the remainderman will get the estate with a ruin instead of a house.

Lord SELBORNE: That is rather suggestive of a difficulty which had occurred to me before—that, even if he had insured and put the money in his pocket, this would enable him to rebuild at the expense of the estate. If he does insure and receives the insurance money, it cannot be necessary to throw on the inheritance the burden of rebuilding. This would actually give the tenant for life, where now proper motives would induce him to rebuild out of the insurance money, an inducement to put the money in his pocket and rebuild at the expense of the inheritance.

The Noble CHAIRMAN: It does not follow that it would be to the advantage of the tenant for life to do that, because he would have to sell a portion of the estate sufficient to raise the money.

Lord THRING: It would be rather a premium on him not to insure, because he will know that if any damage is done by fire he can fall back on a mortgage of the estate for the purpose of re-building.

The Noble CHAIRMAN: No. He cannot mortgage; he can sell. Would a tenant for life be likely to say, "I will not insure, because if the buildings are destroyed by fire I can sell part of the estate to make them good?"

Lord BEAUCHAMP: I think different considerations arise in regard to the mansion-house and in regard to agricultural buildings.

The Noble CHAIRMAN: This would appear to apply to both. I admit that I quite see the force of what has been urged, although I rather doubt whether this provision would disincline the tenant for life to ensure when he otherwise would do so. And, on the other hand, this money is expended for the advantage of the remainderman, because if no such money is expended it will be a very bad thing for the estate.

The Marquess of BATH: If this is adopted, the tenant for life will be obliged to rebuild; if there is destruction by fire he will have no choice but to rebuild.

Lord SELBORNE: I should think the cases would be very rare in which the buildings are not insured.

The Noble CHAIRMAN: The cases would be very rare where the buildings are not insured at all; but it may often happen that the insurance is insufficient, and that the money received for the insurance office is quite inadequate to replace the buildings. I should imagine that that is the class of cases which would rather be met.

Lord SELBORNE: Is not the existing power as to buildings under the Act of 1882 sufficient? Surely a reasonable Court, where it has power to allow an entirely new building, would not disallow it because some use is made of the remains of the old one.

The Noble CHAIRMAN: I think practically this would only apply to houses other than the farm buildings.

Lord SELBORNE: At all events, we must take care that no motive is created for the tenant for life omitting to insure, or, having insured, putting the money in his own pocket.

Earl BEAUCHAMP: It is rather hard on the remainderman, if the house is burnt down, that he should have no voice in the style or accommodation of the building to be erected in its stead.

Lord ASHBOURNE: I hardly think that a motive would be given not to insure, but this would be almost equally dangerous in allowing a man to rest easy in his mind and carelessly to let things slide.

The Noble CHAIRMAN: I will not press the Amendment, as the view of the Committee is against it.

Clause, as amended, agreed to.

Clauses 13 and 14 agreed to.

Clause 15—

The Noble CHAIRMAN: I propose to omit this Clause. I think it is really too wide. Whether it might not be possible to narrow it somewhat I do not know. As it stands now, if you had a settlement of realty and personalty, it would enable the personalty to be applied for the purpose of improvements—of course, improvements under the Settled Land Act, but still improvements—on the realty. I think, in many cases, a person who settles both realty and personalty does so with a view to the uncertainty of the value of realty, and to secure that there shall be a certain income from personalty. In many cases, there would be danger in allowing personalty indefinitely to be applied to improvements in the realty. It would often defeat the intentions of the settlor.

Lord SELBORNE: Certainly, where there is no power to lay out the money in the purchase of land.

The Noble CHAIRMAN: Even then it is one thing to be able to buy land, and another thing to merely spend money in the improvement of the estate. I think it is much too large, and I propose to leave it out.

Amendment proposed, "To leave out Clause 15."—(*The Lord Herschell.*)

Agreed to.

Clause omitted.

Clause 16.

Amendment proposed, in page 5, line 4, to leave out the words, "Or, if there be no such persons, then."—(*The Lord Herschell.*)

Agreed to.

Clause, as amended, agreed to.

Clause 17 agreed to.

Bill to be reported to the House with Amendments.

HOUSE OF COMMONS.

STANDING COMMITTEE ON LAW AND COURTS OF JUSTICE AND LEGAL PROCEDURE.

Thursday, July 10th, 1890.

MR. G. OSBORNE MORGAN (Denbighshire) IN THE CHAIR.

HOUSING OF THE WORKING CLASSES ACTS AMENDMENT BILL.

Clauses 1 to 3 agreed to.

Clause 4—

MR. CHANNING (Northampton) moved, in page 2, line 12, to leave out "prejudicial" and insert "dangerous or injurious."

Question, "That 'prejudicial' stand part of the Clause," put, and negatived.

Question, "That the words 'dangerous or injurious' be inserted," put, and agreed to.

Clause 4, as amended, agreed to.

Clauses 5 to 10 agreed to.

Clause 11—

MR. CHANNING: I beg to move the addition of the following words:—"The provisions of this Clause shall apply to any scheme of reconstruction hereinafter provided in Clause D, part 2." That clause in the second part of the Bill relates to the displacement of the inhabitants by any improvement scheme, and it contains provisions which provide for building and accomodation for the working people. The question I wish to raise is simply this, whether we should not apply to the rural sanitary district the same provisions and powers with regard to replacing the district population, as we have here in the first part of the Bill in regard to the Urban Sanitary Authorities. At present I maintain that the efficacy of the Bill will be destroyed without some such Amendment as this, because it provides that the first part of the Act shall not apply to Rural Sanitary Districts.

MR. RITCHIE: I am perfectly willing, when we come to Clause D, to which the hon. Member has referred, to apply practically the provisions of this Subsection 2 to the Rural Districts.

MR. CHANNING: Then I will not move the Amendment.

Clause agreed to.

Clauses 12 to 20 agreed to.

On Clause 20A—

MR. CHANNING: I wish to raise in reference to this Clause a point as to the procedure in regard to compensation, and especially to those parts of the Bill which apply to the Rural Sanitary Authorities. It is provided in line 25 of this Clause that there shall be no additional allowance in respect of the compulsory purchase of an area, or of any part of an area, in respect of which an official representation has been made. Under the 49th Section of the Bill I understand that the same powers are given to the Rural Sanitary Authorities. That Clause gives power to take property without the payment of anything additional in respect of compulsory purchase. But under the Lodging Houses Acts which are applied in Part III. the Rural Sanitary Authorities do not possess power even after having obtained the requisite certificate from the President of the Local Government Board. The point I wish to raise is whether the Rural Sanitary Authorities, in putting the Act in force and buying land compulsorily, whether for the purpose of erecting lodging houses or healthy buildings, shall enjoy the advantage of the compensation procedure of the Acts of 1879 and 1882. The Amendment I propose to move is, to insert at the end of Clause 20A, in page 13, these words, "Subsection 3. The provisions of this Clause shall apply to any purchase of land otherwise than by agreement under the provisions of Part III. of this Act."

Amendment moved to insert, at the end of Clause 20A, in page 13, the words, "Subsection 3. The provisions of this Clause shall apply to any purchase of land otherwise than by agreement under the provisions of Part III. of this Act."—(*Mr. Channing.*)

Question proposed, "That those words be there added."

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): The hon. Gentleman has raised what is really a very serious and important issue. The position of the matter stands thus. With regard to the question of compensation, the Rural Sanitary Authority has the same power and the same obligations with regard to the acquisition of property as any Urban Authority, and I take it, therefore, that, so far as unhealthy and unsanitary areas are concerned, the provisions with regard to compensation are provisions which meet with the approval of the hon. Gentleman. I think that, in regard to the property dealt with in Part II., the Committee will be of opinion that the 10 per cent. allowed in cases of compulsory acquisition ought to be excluded as proposed by the Bill. The hon. Gentleman comes to a totally different class of property now, and contends that we ought to apply the 10 per cent. exclusion to this other property as well. Now, what is the property to which he proposes to extend this provision? It is not property that is necessarily in itself unhealthy at all, and there is no question of acquiring land or property for the purpose of demolition. The only question is the acquisition of land for the purpose of enabling the Local Authorities to erect dwellings, and for that purpose it is proposed that the Local Authority shall have power to acquire land anywhere, and belonging to anybody. If this 10 per cent. exclusion is to apply to such a case, there is no reason why it should not apply to every class of property, and to all questions of compensation. This will be the position of all Local Authorities in nine cases out of ten where they have acquired an unhealthy area under the Bill. No question of 10 per cent. will arise if they want to erect dwellings on that area. But if they wish to erect dwellings on lands which are not subject to the provisions of the Bill with regard to unhealthiness, they must come under the ordinary principles of compensation. I do not think myself

that it is a matter which will practically have very much effect, because, if the Local Authorities do not build on the sites they have acquired, they will probably endeavour to acquire land which is not covered by houses at all. I cannot think that the Committee will consent in a Bill of this kind so seriously to alter the provisions of the law with regard to compensation where no fault of any kind exists.

Mr. CHANNING: I do not think the right hon. Gentleman has quite grasped the situation which arises. In the first place, he has evidently not followed in his mind the conditions under which the adoption of the Lodging Houses Acts in the Act of 1885 was agreed to by Parliament. In the Act of 1885 the definition of a cottage with a garden attached to it was inserted at the instance, I believe, of the hon. Member for Bordesley. Certainly it was understood, both in the evidence given in the report of the Commission and in the Bill which resulted from it, that the question of sanitation was bound up in the application of these Acts to Rural Sanitary Authorities. Therefore, in order to enable sanitation to to be completely carried out, the adoption of an Amendment such as this is a matter of extreme importance and urgency. To have the Rural Authorities brought face to face with a denial of the same privileges of getting land as they would have in a town would, I think, paralyse the operation of the law we desire to carry out. The object of the Amendment is to provide the Rural Sanitary Authority or the County Council from being hampered, from having difficulties hunted up and brought against them under the provisions contained in Part III. I am sorry that the right hon. Gentleman cannot see his way to the acceptance of this Amendment. I may have misunderstood the right hon. Gentleman, but I certainly understood him to say in the Debate on the Second Reading that the principle in regard to compensation and the special exclusion of the 10 per cent. was to apply to the proceedings of all Rural Sanitary Authorities, and especially to the question of providing open spaces or healthy gardens around a town. If the right hon. Gentleman can see his way to the introduction of machinery in the second part of the Bill which will affect village cottages, I will not press the Amendment.

Mr. RITCHIE: The hon. Gentleman must have misunderstood me. A short discussion took place upon this point, but it was almost of a colloquial nature. What I wished to say was this—that, as far as the Rural Sanitary Authorities were concerned in the case of unhealthy buildings, the same procedure should apply as in the urban districts. It was in my mind at the time whether, under a modified scheme of reconstruction, the Rural Sanitary Authority, like the Urban Sanitary Authority, might not be willing to lay out, if necessary, the space they acquired as an open space.

Mr. CHANNING: I was certainly under the impression that, as regards compensation, the Rural Sanitary Authority was to be placed in the same position as the Urban Sanitary Authority.

Earl COMPTON (York, W. R., Barnsley): I certainly understood that was what was meant. As far as I can see, they are exactly the same up to a certain point. Then there is a difference, of course, between the clearances—between the character of the clearances. I see the point raised by the right hon. Gentleman quite clearly. I think the latter ought thoroughly to understand that the question of compensation has been omitted altogether from discussion since we have been considering these Bills. The question of compensation is a huge one, which will have to be grappled with, and a Bill will have to be passed, I hope next Session. There will be some means, no doubt, of bringing it forward. But I should have thought some Amendment might possibly be made to this Bill in the direction suggested by my hon. Friend.

Mr. RITCHIE: The noble Lord agrees with me that, so far as compensation is concerned, the Rural Sanitary Authority is exactly in the same position as the Urban Sanitary Authority. If the Urban Sanitary Authority desires to acquire land which is not unhealthy land, for the purposes of a scheme, the point of the exclusion of 10 per cent. does not arise. That is equally the case whether it is rural or urban. Wherever the land is to be acquired under the scheme, when no

consideration of health arises, but in order to build houses, the Urban and Rural Sanitary Authorities stand on precisely the same ground.

MR. CHANNING: If the definition of a cottage and land in the 3rd Part could be transferred to the 29th Sub-section of the 2nd Part, that would settle the matter. Surely, it would be an intolerable state of things that the ratepayers in villages in every part of the country should, on the Rural Sanitary Authority undertaking a scheme, be victimised and fined by having the machinery of the Lands Clauses Act put upon them; and I really do not think the right hon. Gentleman is justified in such a refusal. The Rural Sanitary Authority, backed up by the County Council, may be carrying out a policy of building healthy cottages with sufficient garden space, and it would be absurd to say that that was not a policy of sanitation, and that it was a mere policy like that of laying out a new road, or something of that kind.

MR. RITCHIE: I do not quite gather what the hon. Member moves.

MR. CHANNING: I suggest the transference of the definition of cottage from the 3rd to the 2nd Part. I daresay it would entail other alterations. The right hon. Gentleman, of course, knows that we have had a hard week, and that we have had only an hour or two in which to consider the effect of these provisions. If the definition of "cottage with garden surrounding it," in the 56th Section, which, as hon. Members know, is the definition taken from the Act of 1885, were transferred to the 2nd Part, and other alterations, logically connected with it, were made, it would carry out the effect which I have in view.

MR. RITCHIE: I understand the hon. Gentleman desires something to be inserted in Clause 29 to make it clear that cottages and gardens are included. But in lines 15 to 18 the expression "dwelling houses" is defined to mean "any inhabited building," and to include any yard, garden, or outhouses.

MR. CHANNING: I do not think the right hon. Gentleman quite grasps my argument, which is based on some knowledge of the habits of the Rural Sanitary Authorities. If hon. Members look at the 3rd Part of the Bill they will find the definition "cottage and garden"; and naturally, when schemes are made to deal with areas in villages in the way it is suggested they should be dealt with, it will raise difficulties, because they will be hampered with the machinery of the 3rd Part. If the whole were transferred to the 2nd Part, of course the difficulty would be got over.

MR. RITCHIE: Now I see the cloven hoof of the hon. Member. It is not that he says that cottages cannot be dealt with by Clause 29, because, clearly, dwellings would include cottages; but by transferring part of the 3rd into the 2nd, he then gets the benefit of the Compensation Clauses, which he desires to obtain by means of an Amendment on the Paper. That is only another way of doing what the Government cannot assent to assist him in doing; that is to say, to take away the rights which holders of property, not in any degree unhealthy, have under the existing law. It may be a proper thing to consider, when the proper time comes, whether 10 per cent. is a right or wrong amount to give. If the subject is to be dealt with at all, it ought to be dealt with in some general way, and not by means of an Amendment under this Bill.

SIR U. KAY-SHUTTLEWORTH (Lancashire, Clitheroe): I should like to clearly understand the situation. Take the case of a cottage by the roadside. It often happens that the father or grandfather squatted there, and got a small strip of land. That land is specially desired by that Sanitary Authority in order to erect upon it lodging-houses. I understand my hon. Friend to propose that the Sanitary Authority should have the power of purchasing compulsorily, without adding 10 per cent., the land and the cottage, although they may be in a perfectly satisfactory condition, and may be the only property the owner possesses in the world. I do not think that the Committee will assent to that.

MR. JESSE COLLINGS (Birmingham, Bordesley): I am beginning to see what the announcement of the hon. Member means. In itself, there is no doubt that it is most necessary that the Local Authorities should not be able to deal with the housing of the cottager, unless something of the kind is done; and what the hon.

Member wants is, that in cases, not the extreme case which the hon. Member (Sir U. Kay-Shuttleworth) has mentioned, but in cases where cottages require more land, such land should be taken without this extra expense. There are thousands of cottages that are built, it may be by squatters, along that roadside, without a yard of land behind them, and with scarcely any escape for the sewage or anything. It is a mistake to suppose that these cottages have been built there after the hedges were put up. In many cases, perhaps the majority of cases, these cottages were built on the open common, and the enclosure has come up close to the back doors, and cut off every bit of spare ground behind them. Surely, it is reasonable when they find cottages in that condition, that the Local Authority shall be able to get the land so as to make those cottages into reasonable and healthy ones, by giving them strips of land behind, without being mulcted in expenses under the Lands Clauses Act. I do not see what objection there is. The object of the Amendment is very simple, and does not deal with the question of compensation, except in a very small degree, and with reference to one class of property in the rural districts. The class of cottages which are sought to be rectified by the Amendment are a growing evil in rural districts, and I hope the right hon. Gentleman will agree to accept the Amendment.

MR. CHANNING: Before the Division is taken I would like to point out to the right hon. Gentleman, if he will kindly give me his attention for a moment, that supposing this Amendment were inserted in the Bill, the only difficulty would be the application of any provisions which would be necessary to cover the circumstances alluded to by my right hon. Friend, the Member for Clitheroe, or other cases of that kind.

MR. ESSLEMONT (Aberdeen, E.): On this point I raised some discussion the other day, and I confess I was content when I found that, if the dwellings were needed, and the land on which they stood was unsuitable, compulsory power could be given, as the right hon. Gentleman the Lord Advocate satisfied me it was given, to the Local Authority to take land convenient to the neighbourhood, and which was suitable, in order to build houses upon it. The question now raised is a very narrow one, namely, whether a person who has a suitable property which he does not want to sell, shall be obliged to sell without the 10 per cent., which is allowed to him under the Lands Clauses Act. I am sorry to say that my experience is that people under these circumstances get a good deal more than 10 per cent., and that is a great evil which probably is not avoidable. But I am glad to say I have always thought that 10 per cent. was not an unreasonable compensation to a person who did not want to part with his property. I hope, therefore, my hon. Friend will not press this to a Division, because in the circumstances, it would be pressing a little hard upon the man who has a bit of property which he wishes to retain, but which he must give up under the Lands Clauses Act compulsorily. I think that to give him 10 per cent. under the circumstances is not unreasonable.

MR. HOBHOUSE: As I understand this amendment, it is making a man pay for the sins of his neighbour. If a small owner allows his property to fall into an unsanitary condition, the Sanitary Authority must take the land of his neighbour in order to effect an improvement. Under those circumstances, I do not think the neighbouring land owner ought to be put in a worse position than if his land were taken for any other purpose.

The Committee divided:—Ayes, 4; Noes, 20.

Clause agreed to.

Clauses 21 to 28 agreed to.

Clause 29—

MR. CHANNING: I want to raise the question as to the meaning of cottages, and whether we cannot put the definition in Part III. into Part II. I venture to submit that if we included the words in the definition of dwelling houses it would make the matter perfectly clear to the ordinary understanding. It would show that the dwelling houses included cottages, and also the power of

providing garden ground by the Act of 1885. I should like to see the words of Part III. inserted.

Amendment proposed—

"That the expression dwelling house shall include after the word 'defined,' in line 21, these words—'The expression dwelling house shall include cottage, and may include the garden of not more than half an acre, providing the annual value of such garden shall not be more than £3.'"

Question proposed: "That these words be there added."

MR. RITCHIE: I have no objection personally to the amendment, but I would point out that there is always the danger in an absolute definition that you rather narrow than widen the provision.

THE CHAIRMAN: I would point out to the hon. Member that the expression "dwelling house" in the Bill as it stands means any inhabited building.

MR. CHANNING: The question is really a question of drafting more than anything else, and it is a question which requires some consideration. I put it to the right hon. Gentleman rather as a suggestion which I should like to see carefully considered as to its effect upon Part 3. Before it is adopted it would probably entail the exclusion of a Sub-section in Part 3 of Clause 56. The object, I have, in view is to make it perfectly clear that cottages can be dealt with in villages, and that the presence of the word "cottages" in the 3rd Part does not exclude them from the 2nd Part.

MR. RITCHIE: The hon. Gentleman wishes to see the reason why the words are wanted in Part 3 and not included in Part 2. It might perhaps be fairly held that the "housing of the working classes" did not necessarily include cottages with gardens, and, therefore, it is defined that it shall so include them. But the word "lodging-house" is in itself a somewhat narrow word, and therefore it is right to make it perfectly clear that cottages with gardens are included. But when you come to deal with dwelling-houses, surely it is enough to say that a dwelling-house shall mean an inhabited building.

MR. ESSLEMONT: I only meant to point out to my hon. Friend that half an acre of ground at £3 a year is an extreme restriction. Unfortunately, it is the case that there are unsuitable dwellings near railway stations, where land, worth much more, would be excluded from the operations of the Act.

MR. HOBHOUSE: I think the effect of the amendment would be to limit the word "dwelling-house." With regard to the expression "dwelling-house," I think it would be convenient if the right hon. Gentlemon in charge of the Bill told us why the word "dwelling-house," which seems to limit the operation of the Act, has been used instead of the word "premises."

EARL COMPTON: My hon. Friend has raised this question, and it shows at once the very great difficulty everybody has in defining the particular terms. It is one of the difficulties that Sanitary Authorities have had to contend with for a very long time. They do not understand what is meant by certain terms, and medical officers have very great difficulty in defining the terms. I am not a lawyer learned in defining terms, but I confess that as a layman the words "dwelling house" convey to my mind a house in a town, and not a cottage in the country. I confess that it includes "cottage," but if some term could be inserted in order to make it perfectly clear that cottages are meant, it would be an advantage.

MR. RITCHIE: Inhabited buildings.

EARL COMPTON: Inhabited. Yes, but I see at the side of the scheme the notes, "Definition of Street," and other words, all which point to its being a house in town, and not in the country; and if I were not accustomed to reading these Acts, and if I were like the majority of Local Authorities in the country, I should certainly turn to Part 3 with reference to cottages, and not to Part 2, to see what was to be done.

MR. RITCHIE: My hon. Friend asked me why "dwelling-house" was inserted instead of "premises." I believe in drafting the Bill, it was considered that the "dwelling house" would more directly point to what we wanted to deal with than the word "premises," which in many men's minds might mean other buildings besides dwelling-houses.

Amendment withdrawn.

Clause agreed to.

Clauses 29 to 37 (B) agreed to.

Clause 37 (C).

Amendment proposed: On page 17, line 40, before the word "injurious," to insert the words "dangerous or."—(*Mr. Ritchie.*)

Question: "That those words be there inserted," put, and agreed to.

Another Amendment proposed: On page 18, line 7, after the word "authority," to insert the words, "not being in the Administrative County of London, or not being a Rural Sanitary Authority."—(*Mr. Ritchie.*)

Question proposed: "That those words be there inserted."

MR. HOBHOUSE: May I ask the right hon. Gentleman to explain what is meant by this Amendment?

MR. RITCHIE: It is in accordance with the suggestion that there should be an appeal, not only in the case of the County of London, but also in that of the Rural Sanitary Authorities.

MR. LAWSON (St. Pancras, W.): I hope the right hon. Gentleman will excuse me if I say that I do not quite understand the proposal. Is there to be an appeal beyond the County Council?

MR. RITCHIE: There is an appeal to the County Council of London, but not to the Local Government Board.

MR. HOBHOUSE: I would point out that the words of the Clause are, "But the absence of any such complaint shall not excuse him from inspecting any dwelling-house, and making a representation thereon to the Local Authority." Surely this ought to apply to any district.

MR. RITCHIE: Under the Local Government Act you could only appeal to the Local Government Board; but the Committee have adopted an appeal to the London County Council, and to the County Council from the Rural Sanitary Authorities.

MR. COLLINGS: I should like to know what will be the effect of inserting the words "or not being a Rural Sanitary Authority?"

MR. RITCHIE: By the law, as it at present stands, if the complaint or representation be made to the Local Authority, and the Local Authority declines to take proceedings, there is an appeal, or at any rate a petition on the part of the householders who make the complaint to the Local Government Board, and an enquiry ensues; but as is now proposed, the County Council will take the place of the Local Government Board in the case of the inhabitants of London, and the County Councils elsewhere will receive the appeals from the Rural Sanitary Authorities.

AN HON. MEMBER: But is there no appeal beyond the London County Council?

MR. RITCHIE: I am afraid not; I do not think it would be possible under the circumstances to call on the Local Government Board to intervene.

MR. HOBHOUSE: I only wish to make the remark, that the distinction between rural and urban districts which will be set up by the adoption of this Amendment is one that cannot be expected to last very long.

Question put and agreed to.

Clause, as amended, agreed to.

Consequential Amendments made.

Clauses 38 to 47 agreed to.

Clause 48.

MR. HOBHOUSE: I have to move an amendment to this Clause, page 22. line 14, after the word "four" insert the words "or more."

Agreed to.

THE CHAIRMAN: This will necessitate other Amendments of the same character.

Consequent Amendments made.

Clause as amended agreed to.

Clause D agreed to.

Clause 49 agreed to.

Clause 50 agreed to.

Clause E agreed to.

Clause 52 agreed to.

Clause F.

MR. HOBHOUSE: I understand that this Clause refers back to Clauses 37 and 48, and that being so, I desire to move an Amendment to line 1, page 31, so as to make it read, "Where the medical officer of health or four or more inhabitant householders." I desire to insert the words "four or more" in order to make the Clause run clearly with the Amendments that have already been agreed to. A difficulty arises from this—that in Clause 37 the inhabitant householders make their complaint, not to the Vestry or the District Board, but to the Medical Officer.

Amendment proposed: on page 1, line 31, after the word "health" to insert the words "four or more" (*Mr. Hobhouse.*)

Question proposed: "That those words be there inserted."

MR. RITCHIE: The Amendment of the hon. gentleman is not necessary, because the clause makes it the duty of the medical officer to forward the complaints made by the inhabitant householders to the authorities.

EARL COMPTON: I think it most necessary that there should be power on the part of the inhabitant householders to make representations on the subject. I hope the right hon. Gentleman (Mr. Ritchie) will see the point.

MR. RITCHIE: The hon. Member will see that there are two processes, and that either the Medical Officers may make a report, or there may be a representation made by inhabitant householders. If inhabitant householders make a representation, it is not a representation made by the Medical Officer, but the Medical Officer is bound to forward the representation to the authorities, although it may not have been made by himself.

Mr. HOBHOUSE: I am quite content with having pointed out the difficulty which occurred to me, and I therefore ask leave to withdraw my Amendment.

Amendment by leave withdrawn.

MR. HOBHOUSE: I think we ought to amend this Clause in one particular. Instead of "primary authority," I think the descriptive phrase should be one that is familiar to students of Local Government questions. A few years ago the right hon. Gentleman, the President of the Local Government Board, introduced the general phrase "District Councils," and I think it would be much better if, instead of the "Primary Authority," we were to introduce the words I suggest, namely, "District Authority." I move, therefore, that the word "Primary" be omitted in order to insert the word "District."

Amendment agreed to.

MR. LAWSON: I hope there is no doubt that in the London district the inhabitant householders are subject to the same rule in regard to the appeal to the County Council as has hitherto been the case with regard to the appeal to the Local Government Board.

MR. RITCHIE: I think there can be no doubt about it.

Consequential amendments made.

MR. CHANNING: I have put down an Amendment to Clause F, line 37 the object of which is broadly to take the sense of the Committee as to whether County Councils in rural districts should not have the power of contributing to the expenses of the Rural Sanitary Authorities. Of course, there may be verbal alterations required, but I move the Amendment as it appears on the paper to raise the question whether, when we give the power of appeal on the part of the Rural Authority to the County Council, we should not at the same time give the power of contributing to the expenses necessarily incurred.

Amendment proposed, in page 31, line 37, after "authority" insert as sub-sections (3), (4), and (5) the sub-sections (5), (6), and (7) of Clause G, pages 32 and 33, adding the words "or rural sanitary authority" after the word "board," in page 32, line 34; the same in line 35; the same in page 33, line 8; the same in line 10; the same in line 14; the same in line 18; the same in line 21; the same in line 22; the same in line 23; the same in line 34."—(*Mr. Channing.*)

Question proposed, "That those words be there inserted."

MR. RITCHIE: I think it is injudicious to give powers of this kind unless it is intended to throw an onus on the authorities to whom the powers are given. No doubt, the reason why the hon. Member has proposed this amendment is because of the somewhat analogous provision in the case of London. In London, under the existing law, there are two sets of Acts which are constantly quoted on this subject, and they are called Cross's Act and Torrens's Acts. What is done under one falls on the whole of London; what is done under the other, falls on the locality. We propose a medium plan in this Bill—a something that will be between the two. We provide that if the County Council carry out the work required in default of its being done by the Local Authority, they may call on the Local Authority to contribute; but if the Local Authority does it they may call on the County Council to contribute a proportionate share of the cost, while, in case of there being a difference of opinion between the two, the point in dispute is to be settled by the Secretary of State. This may be a very useful principle when applied to London, but it may not be at all applicable to many of the country districts. London is one huge town, having in its vast population a community of interests, and Parliament has recognised by the provisions of the Acts to which I have referred that there is such a community of interests, by providing that where the scheme is under Cross's Acts the cost shall fall on the whole of London. I think it only right that we should carry that principle to its legitimate conclusion. But it is proposed to apply this principle to the rural districts which cannot have interests such as are found in a community like that of London, and I should be sorry to seem even to imply that the County Councils should make a contribution in aid of a particular village scheme which is an entirely new thing. I am afraid I cannot accept the amendment.

MR. LAWSON: I am bound to say I look on the Amendment of my hon. Friend as a logical consequence of the operation of the Government in enlarging the clause. The right hon. Gentleman would allow any County Council to take the action that was originally allowed to the London County Council alone. While I agree as to his definition of the unity of London, I cannot say that when the County Council contributes to the cost of a sanitary improvement, under the Artisans' Dwellings Act, in a certain district, it is not a rate in aid. It is a rate in aid. If a rate is made for the common fund of London it is a rate in aid, whatever be the community of interest in the county, and if that is good for the County of London it is surely equally good for other counties. I think it a very proper thing that the County Council should have power to do this.

MR. COLLINGS: This question has been up before. Take the case of a county very wealthy in itself—in its aggregate. Take Devonshire or Somersetshire, for instance, which include several large towns, you can easily imagine that the County Council would see the dark spot in the county. A poor village might be the cause of unhealthiness to the surrounding districts, but that locality would not be likely to be able to bear the expense of carrying out the improvement; and surely if, under those circumstances, the County Council like to give a grant in aid from the general purse of the whole county for an improvement which will undoubtedly benefit the whole county, and perhaps directly benefit it, there is no reason why it should not do so. This poor village may be adjacent to a large town, and we know that fevers and other infectious diseases cannot be confined to a particular spot. Nobody is safe from them. An inhabitant of this miserable fever-stricken village may go into a neighbouring town and spread the infection, and this seems to me the very thing an enlightened County Council would be glad to have the power to do. There is nothing compulsory about it, and with the consent of those who sent the Representatives to the Council they should be able to vote assistance towards carrying out improvements in a particular locality, which locality was not likely to do it for themselves. Everyone living in the county must be interested in the adoption of precautions for preventing the spread of fevers which may exist in villages even miles away. Fever may come from fever-stricken places to market towns, and in that way spread disease all over the county, therefore I cannot see what objections there are to enabling a County Council if they like to exercise this power. We ought not to be afraid to give it to that Body. They are an elected Body, and therefore we may be sure they will take care of the rights entrusted to them. To refuse to give them this permissive power is a thing not to be desired.

MR. ESSLEMONT: I join issue very seriously with the hon. Gentleman over this clause. I think the right hon. Gentleman opposite enunciated a very proper principle when he said the responsibility should be finally on the owners of properties which are unhealthy, and the idea that this Bill should come in and enable the County Council to saddle the ratepayers with contributions in order to prevent the spread of disease arising from unhealthy dwellings is a principle which ought not to be accepted. We ought to bear in mind that the dangers are described as coming from private property, and that the ordinary taxpayer suffers. I trust the right hon. Gentleman the President of the Local Government Board will stand to the principle that responsibility shall be fastened to the owners of the property, and that they will have no means of escaping, and that no commisseration from healthy localities shall be allowed to operate. I think there is a great principle involved here, and I wish to take this opportunity of saying that I adhere most decidedly to the idea that the responsibility should rest on the owner of the property, and that they should not look for contributions from the county, however wealthy it may be. We must bear in mind that the working man has to bear his share of the county rates; and if he is not responsible for the evils that we wish to prevent, he should not be called upon to pay anything in regard to them.

An HON. MEMBER: We do it in London.

MR. ESSLEMONT: So much the worse for London. It is a bad principle, and one which ought to be stamped out.

VISCOUNT LYMINGTON: I would point out that there is a great difference between the case of London and a rural county. It is of importance to all Londoners that a really unsanitary area should be stamped out. We have an enormous population, and if there is a question of plague in our midst it is a danger to the whole of London. I think the matter was pressed rather too far by the hon. Member who spoke of rural counties. My own impression is that in a county like Devonshire it would be extremely unpopular to throw the responsibility of managing and stamping out unsanitary areas on the County Council at large. I believe there is a very strong feeling in the counties that responsibility in these matters should be thrown on the owners of property. If owners of

property have themselves neglected to maintain their cottages in proper order, I cannot conceive anything worse than that such men, who have been pocketing large sums of money through not maintaining their houses in a healthy state, should come forward and say to the rest of the community, who are not in the least affected by these unsanitary areas, "Oh, we cannot afford to put our property in proper order, and therefore we ask you, the ratepayers of the county, to do the work for us." That seems to me a most dangerous and retrogressive policy, and I trust that we shall not enter upon any course of the kind. The effect of that would be, that these men, whom this Bill ought to punish, would be the very men to derive the benefit from their own misdoings and neglect of responsibility.

EARL COMPTON: All the arguments raised by the last two speakers apply to London equally as much as to the country, and in this way. We have people in London who do not do their duty as regards putting their property in a proper sanitary condition. In the same way, we have houses getting into an insanitary state and everyone wishes to stamp them out. In the same way, somebody has to do it, because the owners will not do it. The question is, who is to step in? We say the County Council is able to give a grant in aid to the Local Authorities, in order to enable them to demolish and reconstruct. I maintain that London stands exactly on all fours with the country, with this exception: that London, taken as a whole, is one town, and that country districts are largely divided into villages and sanitary areas. At the same time I would like to point out that the County Council is composed of gentlemen not representing one particular district, but the whole county. You may take any county in England in the same way as you take the County of London; it is a county in precisely the same way. I submit that no arguments have been brought forward which would not apply to London. So much the worse for London it is said, but I maintain that it would be a pity for London if we had not this power.

MR. ESSLEMONT: The noble Lord misunderstands me. I am all for giving this power, but the question is, On whom shall the expenses fall? I would give the Local Authorities power to pull down houses, but my point is that the cost should fall upon those who are responsible.

EARL COMPTON: I should have thought that that matter would have come under provisions dealing with the incidents of taxation.

MR. HOBHOUSE: I would point out that we have already passed Clause 50, Sub-section 2, which throws the expense, not on the district, but on the parish, and now we are asked to throw a portion of this expenditure, not on the parish or the district, but on the county. I submit that, if you are going to widen the area of the cost of executing the Act, you should have amended your action on the previous Clause. You should have said that this cost shall be cost on the whole district, instead of saying now that it shall be spread over the whole county. The cost that will be incurred under this Clause will be comparatively small. It is simply the cost of closing the buildings and of clearing away obstructions. I do not think that there is any case for such a contribution as is proposed to be made.

Question put, and negatived.

Other Amendments made.

Clause F agreed to.

MR. CHANNING: Does the right hon. Gentleman propose to insert words in Clause 11 to give Rural Authorities the same power of rehousing the dispossessed population as he has given the other authorities?

MR. RITCHIE: The hon. Member is referring to a part of the Bill we have disposed of. We cannot go back on that. On Report I will undertake to introduce words to cover the point raised by the hon. Member.

Clauses G. H., 42, 54, T., and 55 agreed to

Clause J.—

MR. RITCHIE: I have an Amendment to this Clause which is to put right an informality which occurred at the last meeting as to the exclusion of Municipal boroughs. The Amendment is to put the Clause on the same lines as the other part of the Bill.

Amendment proposed, in page 35, line 37, to leave out from the word "district" to the word "shall," in line 39, and insert "in the administrative county of London, or to any Rural Sanitary Authority in any other county.—(*Mr. Ritchie.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. HOBHOUSE: I am sure the right hon. Gentleman is aware that the present Amendment widens the exception. The former decision was to exclude all boroughs. He now proposes to exclude all urban districts.

MR. RITCHIE: That is true, and that is one of the reasons for my Amendment. The Amendment is to bring the Clause into line with the provisions agreed to by the Committee as to an appeal to the County Council. The Committee have confined that appeal to Rural Sanitary Authorities. When the amendment was moved, it was only to embrace Municipal Boroughs, leaving Urban Districts alone. Without this Amendment, the position would be that in Urban Districts it might be held that the County Council had no power whatever, as the question of appeal has been confined to Rural Districts. Whether that is right or wrong, it seems to me only right that this particular provision should be brought in line with other provisions, giving an appeal to Rural Authorities.

MR. COLLINGS: Any addition to Boroughs is defined by the Municipal Corporation Act of 1882; all other Local Governments are excluded—Local Boards, for instance—are they to be excluded from the Bill?

Mr. RITCHIE: I am not responsible for what the Committee has already done. The Committee has already given the right of appeal in the case of Rural Authorities. That was an Amendment of an hon. Member opposite, and it has been accepted and embodied in the Bill. It is with a view to bring the Clause dealing with Urban Sanitary Authorities into accord with that Amendment that I make this proposal. The hon. Member knows quite well that there will be a considerable difficulty if you exclude Municipal Boroughs, some of which go down to an extremely small population. There will be a great difficulty in including all Urban Sanitary Authorities, some of which embrace a population of 10,000.

MR. COLLINGS: The right hon. Gentleman started by asking us to pass all these Clauses, as we have been doing, like flashes of lightning, on the ground that we were not going to interfere with the original Act. Well, I say that he himself has interfered with that original Act in two important particulars. He has, first of all, made Cross's Act absolutely impossible—although I did not notice it at the time. That I call an interference in a manner which we were not asked to adopt. Then a strong appeal is made to us as to the necessity of altering the present Clause, and if we refrain from doing so——

MR. RITCHIE: What does my hon. Friend mean?

MR. COLLINGS: I am referring to your Amendment, which puts the losses to Current Incomes instead of to Loans. It is in the 23rd Clause, I think. The right hon. Gentleman is himself interfering, under the Amendment before us, with the principle he laid down, and he would now release all Urban Authorities, including Municipal Corporations.

MR. RITCHIE: The appeal is confined to Rural Sanitary Authorities.

MR. COLLINGS: There is no reason why it should be.

EARL COMPTON: What does the right hon. Gentleman mean by the word "appeal?" I understand "appeal" to mean that which I was decided upon when the point was raised. This is a question of petition or representation—

petition from inhabitants, or representation from a Medical Officer of Health. I understand when the right hon. Gentleman speaks of appeal he means petition.

MR. RITCHIE: Action in default.

MR. HOBHOUSE: By accepting this Amendment the Committee are excluding all urban districts other than boroughs which have already been excluded by the unfortunate action of the Committee from the operation of this clause. This clause provides that the representation of the Medical Officer in a county be referred to the Local Authority and the Local Authority shall take action on the representation as if the presentation were made by their own Medical Officer. The right hon. Gentleman now proposes to except all urban districts other than boroughs. I think he is going further to weaken any power the County Council may have had under this Act. There is no doubt the County Councils have considerable power at present, owing to the reports of medical officers being sent to them, though under the Local Government Act they have no direct power of taking action on these reports. They can consider these reports and forward them to the local authorities, and stir up local opinion on these questions; but if you accept the Amendment——

MR. RITCHIE (interrupting): I will not press the Amendment. I do not wish to raise a discussion. I only proposed it in order to bring this part of the Bill in acccordance with the previous decision of the Committee. My own sympathies are all the other way.

SIR U. KAY-SHUTTLEWORTH: I am glad the right hon. Gentleman has given way upon this point. I was, I must confess, taken by surprise at what he says that the Committee settled as to limiting to Rural Sanitary Authorities the appeal to the County Council. I think it would be a pity to diminish the power of the County Council to that extent. I am prepared to concede that you cannot give them power to deal with large boroughs, but I should like to see them have power in the case of very small boroughs and Local Boards. Before the Report stage I should like to ask the right hon. Gentleman to consider carefully whether he is wise in giving up any powers the County Council may have with respect to Urban Sanitary Authorities and Local Board districts.

MR. LAWSON: The right hon. Gentleman has expressed an opinion against the Amendment already agreed to, but when it was proposed, the right hon. Gentleman accepted it without challenging a Division. It would have been carried against the hon. Baronet the Member for Manchester.

MR. RITCHIE: I explained the reason I was anxious that the Bill should pass, and I thought that if you included Municipal Authorities it would raise great opposition from Municipal Corporations, and prevent the passing of the Bill this Session.

MR. ESSLEMONT: No doubt there is great difficulty in the matter. There are boroughs containing 10,000 or 15,000 inhabitants without a Municipal Council, and no doubt they would contest this very strongly. It does not follow that because a Corporation is small it mismanages its affairs, and I think the right-hon Gentleman was right in drawing the line where he did. This would be resisted to the very death; the idea that we should in a Bill like this interfere with their prerogative would raise a storm of opposition. Those who are acquainted with small boroughs will, I think, appreciate the great difficulty that will have to be encountered. I would say further ——

MR. RITCHIE: I withdraw.

MR. CHANNING: Before the Amendment is withdrawn, I should like to ask a question as to Clause F. Are the Local Boards included in the powers of appeal to County Councils?

MR. RITCHIE: No.

MR. COLLINGS: I do not think it was understood by every Member of the Committee that anybody was excluded except Municipal boroughs. If that is the sense of the Committee, and if there is anything necessary to be put right, perhaps the right-hon. Gentleman will do it upon Report.

MR. RITCHIE: Of course; nothing more can be done in Committee, because the thing has been already passed.

MR. COLLINGS: It can be done on Report.

MR. RITCHIE: It will be for the House to decide whether or not Urban Districts shall be included.

Amendment, by leave, withdrawn.

Clauses J and 56 agreed to.

On Clause 57—

EARL COMPTON: I want to move an Amendment in line 15. There is a proviso in the Clause, the reason for which I am at a loss to imagine, though it is only a matter of form. I think it would be better that the usual course should be taken, and the local authorities should be able to pass resolutions that they adopt. It only wastes time. I move to leave out the proviso.

Amendment proposed: Line 15 after the words "schedule mentioned" to leave out all the words to end of the Clause. (*Earl Compton.*)

Question proposed: "That the words proposed to be left out stand part of the Clause."

MR. HOBHOUSE: I hope the right-hon. Gentleman will consider this. Is it wise, now that we have got a proper elective authority in London and in every county in England, that the Authorities of every rural district should have to come to the Local Government Board for its sanction? Why should such delay occur in regard to the adoption of the Act as is provided by subsequent Clauses. The County Councils must be much better acquainted with the feeling of the district than anyone else.

MR. LAWSON: I do not wish to interfere with other counties, but a Representative Authority has been created in London, and I cannot see why the Home Office should object to the adoption of the suggestion.

MR. STUART WORTLEY: In practice the Secretary of State acts as a kind of arbitrator between the parties. As to whether that is wise or not, different opinions may be held.

EARL COMPTON: The hon. Gentleman does not seem to see that this is the commencement of the adoption of the Act, and that when a scheme is prepared it is sent on as a matter of course for the approval of the Government.

MR. RITCHIE: This is rather a large question, and affects the Home Office, with whom I have had no opportunity of conferring. I should hardly like to accept an Amendment of this character without having that opportunity. I think that if the noble Lord will allow the clause to stand as at present, the matter might be raised again on Report. Certainly if the noble Lord takes the sense of the Committee upon the point I shall be obliged to say no.

MR. LAWSON: The course the right hon. Gentleman suggests may put us at a disadvantage. We are discussing the question from a practical point of view, and not with any Party intentions. It must be borne in mind that in the County Councils there are representatives of the districts, and they speak for the districts, and I cannot see why the Home Office should value this particular power when there is a representative authority at hand.

MR. HOWELL: I think this is a case in which the right hon. Gentleman might well give way. We have now a representative Council, and I think the provision of the clause, as it stands, would rather impede than forward matters.

SIR R. LETHBRIDGE: I should like to ask the right hon. Gentleman the President of the Local Government Board how it would be, supposing the adoption of this Act be put within the power of the London County Council, and such questions as those raised by the hon. Members opposite should come up. Is there any clause in the Bill which will deal with such a point, that is to say, that will constitute the Secretary of State an arbitrator between the London County Council and any local people who raise objections?

EARL COMPTON: At the present moment the Housing of the Poor Committee of the London County Council are in active negotiation with the Home Secretary as to lodging houses. We approached him in the first instance, and asked him to allow us

to adopt these Acts for the county of London. After some time—I will not say there was any unnecessary delay—the Government consented. We then submitted it to the Council, and the whole thing was carried through. Whenever we wish, and we have wished, to adopt some scheme of lodging houses in London, we have to submit the scheme to the Secretary of State. This is only a matter of official routine, which we want to get rid of in order to save time. I think it will save time if we can come to some decision now, instead of waiting until the Report. I am sure the Home Secretary will not raise any objection.

Mr. RITCHIE: I am prepared to meet my noble Friend. The questions of London and the rural districts stand on a very different footing. If my noble Friend will look at the Bill he will see that certain representations have to be made to the Local Government Board to hold a local inquiry upon an application being made to them. As I say, the Rural Sanitary Authority stands upon a different footing to the London County Council, and I am prepared to allow Sub-section (*a*) to disappear, subject to this one reservation, that, if my right hon. Friend the Home Secretary differs from me in the matter, he must be at liberty to raise the question on Report.

Mr. ESSLEMONT: I think that this point may be fairly conceded in fulfilment of the right hon. Gentleman's own scheme for the representation of the counties. I do not admit that, with regard to the London County Council, any exception should be made. On the contrary, I think they have greater access to the Department than any other authorities in the country, and, therefore, I think we should reserve the powers to the County Councils in rural districts, even more so than to the London County Councils.

Dr. COMMINS: It is evident that the building of lodging houses in London may draw an undesirable population to a particular district. That, however, cannot happen in Rural districts, because the population must be there, or no one would think of erecting lodging houses for them.

Mr. HOBHOUSE: The right hon. Gentleman has not dealt with this matter as affecting the rural districts on its merits. In this very Session of Parliament he has introduced a Bill which allows us to go to the County Council when we cannot get allotments from the Rural Sanitary Authority. Surely, having got a proper authority in the counties, you might perfectly well put them in action and trust them.

Mr. CHANNING: I may enforce what the hon. Member has just said by one remark. The intention which the right hon. Gentleman himself has again and again expressed was to make the County Council the Central Sanitary Authority for the rural sanitary district, and surely it is simply a question of time when the extension of powers should take place. I hope he will be able to see his way to consent to this Amendment.

Mr. RITCHIE: I hope the hon. Member who moved the Amendment will divide the Amendment into two, and let us divide upon the two parts separately. I am afraid I cannot consent to make so great a change as that proposed—certainly I cannot do it with regard to the rural districts. So far as London is concerned it is merely a question of the adoption of the Act, but as to the counties a great deal of machinery is to be set in motion, and I cannot consent to the alteration in regard to them.

Mr. ESSLEMONT: I fully understand that, without consulting the Home Office, the right hon. Gentleman cannot, off-hand, pledge that Department; but what I submit to him is, that if he himself is favourable to our idea with regard to the rural districts throughout the country, he should go the length of assuring us that he will consult the Department, and, if possible, on Report, introduce a clause which will carry out the proposition we make. I think this is not asking him to go too far.

Mr. RITCHIE: What I have proposed to do is to accept the Amendment under the reservation I have made so far as London is concerned. I am at the head of the Department concerned in the case of the rural districts, and I do not see my way to make the transfer from the Local Government Board to the Council upon the Amendment proposed by the noble Lord. No doubt the whole question

as to the powers which are possessed by the Local Government Board will have to be considered shortly, and this amongst them. But I do not wish to prejudge the action of Parliament by accepting this Amendment in its present stage. I suggest that the noble Lord should divide his Amendment into two.

MR. HOWELL: Does not Section 58 provide all the right hon. Gentleman wishes?

MR. RITCHIE: Clause 57 is as to the adoption of the Act, and Clause 58 provides that in rural sanitary districts certain things shall be done.

Amendment proposed, in page 36, line 18, after the word "mentioned," leave out all the words down to the word "and" in line 18.

Question, "That the words proposed to be left out stand part of the Clause," put, and negatived.

Amendment proposed, in page 36, line 15, after the word "mentioned," to insert the words "provided that."

Question proposed, "That these words be there inserted."

MR. ESSLEMONT: The right hon. Gentleman is willing to take away the power from the Secretary of State, but he says he is not willing to take away his own power. We all know that so long as the right hon. Gentleman himself is at the head of the Local Government Board the office will be administered with discretion, and we know it is human nature never to give up power so long as one can stick to it; but I think we may appeal to the right hon. Gentleman to trust the County Councils, and accept the decision of the Committee.

SIR U. KAY-SHUTTLEWORTH: I hope the right hon. Gentleman will recognise that this is just one of the occasions of new legislation when we cannot forget the fact that the great Act of 1888 has been passed, and this is but an early step towards handing over a great many of the powers now possessed by the Local Government Board to the County Councils. I think it would be well if the right hon. Gentleman would recognise the fact that it was one of his intentions, when bringing in the Local Government Act, to relieve the Local Government Board of many of its duties. As a matter of fact, the passing of the Bill in the form in which it is now administered has really amounted to an enlargement of the work of the Local Government Board rather than otherwise. Here is an opportunity of relieving the Local Government Board of work, and of entrusting it to representative bodies, the County Councils.

MR. RITCHIE: I accept.

Question put, and agreed to.

Amendment proposed, Clause 57, page 6, line 21, leave out the words "Local Government Board," and insert the words "County Council of the County in which such district is situate."

Question, "That the words proposed to be left out stand part of the Clause,' put, and negatived.

Question, "That the words proposed be there inserted," put, and agreed to.

Question proposed, "That Clause 57, as amended, stand part of the Bill."

MR. HOBHOUSE: Will the effect of the clause be that the Act will be adopted by the Vestry or District Board without the consent of the Council?

MR. RITCHIE: No; this clause cannot be put in force by a Vestry or District Board. It must be put in force by the London County Council.

Question put, and agreed to.

Clause 58.

Amendment proposed, in page 36, line 24, leave out the words "Local Government Board," and insert the words "County Councils of the County in which such district is situate."

Amendment agreed to.

Amendment proposed, in Clause 58, page 36, line 28, to leave out the words "Local Government Board," and insert "County Council."

Agreed to.

MR. HOBHOUSE: May I suggest that instead of the words "one of their Inspectors," in line 29, we should put in the words which the right hon. Gentleman accepted in the Allotments Bill, which were to the effect that the inquiry should be held either by a paid officer of the Council, or by one or more members of the Council?

Amendment proposed, in page 36, line 29, to leave out the words "one of their Inspectors," and insert the words "by a member of the Council, or any officer or person appointed by the Council for the purpose."—(*Mr. Hobhouse.*)

Agreed to.

Amendment proposed, in page 36, line 30, to leave out the word "Inspector," and insert the words "the person holding the inquiry."

Agreed to.

Amendment proposed, in Clause 58, page 37, line 4, to leave out the words "Local Government Board," and insert the words "County Council."

Agreed to.

Amendment proposed, in page 37, line 5, to leave out the words "the *London Gazette*," and insert the words "one or more papers circulating in the locality."—(*Mr. Bartley.*)

Agreed to.

Consequential Amendments made in lines 8, 26, 29.

Clause 59 agreed to.

Clause 60.

MR. CHANNING: I do not move the Amendment standing in my name.

EARL COMPTON: I had no idea the Amendment was to be withdrawn, or I should have put down an Amendment myself. Certainly, unless I get some satisfactory explanation from the right hon. Gentleman, I am afraid I shall have to give notice that, on Report, I shall raise the whole question dealt with in this clause. I shall regret if it is necessary to raise a discussion on Report, but I really do not see how I can raise the point in any other way. Sections 175 and 178 of the Public Health Act relate to the purchase of land, and by those sections the process which is to be gone through is provided. I am sure the right hon. Gentleman will agree with me as to the complicated or, at any rate, lengthy character of that process. We find that there is a great deal of time wasted whenever we have to undertake some of these schemes. In consequence of the long period of time during which the question is discussed, there is some loss, because the people in the locality to be dealt with always put up the price considerably. I should like the right hon. Gentleman to say whether he has directed his attention to these particular clauses, and whether he sees any means whereby we can simplify the machinery. My suggestion would be that there should be a Provisional Order. I do not want to raise the question on Report, and if the right hon. Gentleman will tell me that the question is engaging attention at the present moment, or that it will engage attention before next Session, I shall advise those whom I represent on this Committee, the County Council Committee of the Housing of the Poor, not to press the point this year.

MR. RITCHIE: The noble Lord offers me a considerable bribe, and I hope that nothing I may say will deprive me of the reward he dangles before my eyes. I do not, however, wish it to be inferred that the noble Lord would unduly take up the time of the House in the matter. If he wishes me to answer the question whether I think the whole machinery of the Lands Clauses Consolidation Act are satisfactory, I do not mind saying that, in my own private opinion, I think they are capable of considerable improvement. In fact, I do not think they

are satisfactory, but if I were to go on and say this has been engaging my attention with the idea of bringing about any practical result, I am afraid I should go a little beyond strict accuracy. But my attention has been engaged in so many other directions that I admit I have not had time to seriously consider the question. I wish to tell my noble Friend, in return for the consideration he gives me, that whenever the time arrives when I shall have an opportunity of considering the whole question I shall gladly do so. I am not at all sure that it will fall to the lot of my Department to deal with the question, but, in any case, I think the present machinery is cumbersome, and, if it falls to my lot, I shall be glad to consider the subject.

MR. LAWSON: The House has amended the Act by the Artisans' Dwellings Act, under which machinery is set in motion for acquiring land with a penal intention. Under this Bill, however, the cost of acquiring land will be just as great as if it were acquired by a Railway Company, under compulsory powers, for their own profit, and it certainly seems to me that the right hon. Gentleman might consider that special point.

MR. RITCHIE: I am afraid that would be a very invidious thing, because it would seem to imply that for this particular purpose land might be taken away without the same consideration being given for it as would be given if it were acquired for any other purpose.

EARL COMPTON: I am glad to hear what the right hon. Gentleman has said, and I shall do the best in my power to prevent the question being raised on Report. I hope I may say to the Committee that the right hon. Gentleman is willing to listen to any particular views we may lay before him on the point.

MR. RITCHIE: Hear, hear!

MR. J. COLLINGS: I hope the right hon. Gentleman will see the distinction between land acquired for railway purposes and land acquired for workmen's dwellings. There will be no proposal to erect such dwellings unless they are wanted. They might possibly be wanted through the demolition of insanitary houses, and, therefore, it may become absolutely necessary for the Local Authority to acquire them. I do not see any difficulty in amending the Land Clauses Consolidation Act for that particular purpose without going to the trouble of opening the whole question raised by that Act.

MR. HOBHOUSE: I beg to move to omit, in line 22, of Clause 60, the words "With the consent of the Local Government Board," in order to elicit from the right hon. Gentleman an expression of opinion as to whether this is not one of the cases in which the County Council may be substituted for the Board.

Amendment proposed, in page 38, lines 22 and 23, to leave out the words "Local Government Board," in order to insert the words, "County Council of the County in which the land is situate."—(*Mr. Hobhouse.*)

Agreed to.

Clauses 60 to 66 added to the Bill.

Clause 67.

Amendment proposed, in line 35, to leave out the words "Local Government Board," and insert the words "County Council of the County in which the lodgings are situate."—(*Mr. Hobhouse.*)

Agreed to.

Clause 68.

MR. LAWSON: I beg to move, in line 13, to leave out the words "Local Government Board."

MR. RITCHIE: I cannot accept that.

MR. HOBHOUSE: I should like to ask how the expenses of the County Council under this clause are to be provided for. I may mention that, under the Allotments Act, the question has already arisen whether the expenses of a local inquiry should be borne by the County Council or the Sanitary Authority.

MR. CHANNING: Sub-section 3 of Clause 58 deals with the exact point.

MR. HOBHOUSE: If a local inquiry is held by paid officers of the County Council certain expenses are incurred, and the question is whether these are expenses of the Sanitary Authority or the County Council. If they are to be paid by the County Council there ought to be some direction as to how they should be borne.

MR. RITCHIE: The expenses of inquiry will fall upon the County, and be paid by the County Council.

Clauses 68 and 69 added to the Bill.

Clause 70.

SIR R. LETHBRIDGE: On this clause I should like to ask the right hon. Gentleman whether it would be possible to introduce words giving borrowing powers to such an Institution as the Polytechnic or the Association for providing open spaces, or anything of that sort?

MR. RITCHIE: No, I do not think that would be germane to the Bill.

Clause 70, Clause K, and Clauses 75, 76, 78, O, P, 80, 85, 86, S, 87, 81, 82, 77, L, M, and N, agreed to.

Clause 89.

Amendments agreed to:—

Page 50, line 6, leave out sub-sections (*a*) to (*d*), and insert—

"A reference to any section of 'Lands Clauses Consolidation Act, 1845,' shall be construed to mean a reference to the corresponding sections of 'The Lands Clauses Consolidation (Scotland) Act, 1845.'"—(*The Lord Advocate.*)

Page 51, leave out sub-sections (*b*) and (*c*), and insert—

"Local inquiries by the Board of Supervision shall be held under sections 10 to 13 of 'The Public Health (Scotland) Act, 1867,' and local inquiries by the Secretary for Scotland under 'The Local Government (Scotland) Act, 1889.'"—(*The Lord Advocate.*)

MR. RITCHIE: I should be much obliged to the Committee if they will allow us to go on a little longer, in order to finish the Bill. There is no contentious matter whatever left.

Clauses 89 and 90 added to the Bill.

Clause 91.

Amendment agreed to, on the Motion of the Lord Advocate.

Page 52, line 13, leave out "as if," and insert "and"; page 52, line 14, leave out "were," and insert "shall be"; page 52, line 15, leave out "Local Government Board," and insert "County Council of the District"; page 52, line 16, leave out Sub-section (2); page 52, line 37, leave out after "The," and insert "expression 'Court of Quarter Sessions,' means the Sheriff"; page 53, line 1, leave out "of," and insert "or."

Shortly before three o'clock, the bell, indicating that the Speaker was at Prayers, rang, whereupon several Members called out "Go on."

THE CHAIRMAN: We cannot sit whilst the House is sitting except by special order of the House. The words of the Standing Order are imperative.

THE CHAIRMAN then withdrew from the Committee, but presently returned, and on its being announced that the necessary order had been obtained, the proceedings were continued.

Amendment proposed, Clause 92, page 55, to leave out from line 34 to end of sub-section, and add, "that the provisions of Part 2 of this Act, with respect of the powers of County Councils, shall not apply to Ireland."—(*The Lord Advocate.*)

DR. COMMINS: There may be County Councils in Ireland one of these days. Why not leave these words in? As long as there is no County Council in Ireland there can be no harm.

MR. RITCHIE: I do not think the Amendment can be wanted.

Amendment, by leave, withdrawn.

Clauses 95 and 96 added to the Bill.

MR. RITCHIE: I beg to move the following clause:—"The Local Government Board may, by an order sanctioning a scheme under this part of this Act, require the insertion in the scheme of such provisions, if any, for the dwelling accommodation of persons of the working classes displaced by the scheme as seem to the Board required by circumstances."

New clause proposed, "Provision of accommodation for persons of working classes."—(*Mr. Ritchie.*)

MR. CREMER: It is almost impossible for one to gather the full force and meaning of the clause as it has just been read.

MR. RITCHIE: I will explain. It was suggested that, with regard to the new scheme proposed in the Bill, some provision should be made by which the Local Government Board, as the confirming authority, should have power to insist upon the local authority, when they make a new scheme, making a provision for the housing of those people who are displaced by that scheme.

MR. CREMER: Does the proposal give the Local Government Board power to compel the Local Authority to provide accommodation before the new scheme is carried into execution?

MR. CHANNING: I really think the matter has been considered so imperfectly and hastily that it would be better to bring up a clause on Report with respect to it. It will save time to postpone the question until the Report stage, and then to deal with it comprehensively.

MR. RITCHIE: I think there is a good deal of force in what the hon. Gentleman has stated, and I will take care that that course shall be pursued.

MR. HOWELL: I would rather like to see the clause agreed to by this Committee. The Amendment proposes to make direct provision for persons who are displaced by a scheme, and I think it, above all things, necessary that the Committee should, at all events, sanction the principle of such an Amendment. Any further Amendment could be introduced on the Report stage.

MR. RITCHIE: I think that is a very fair compromise.

MR. CHANNING: It seems to me that the clause does not impose a duty on the Sanitary Authority, or the County Council, to re-house the displaced population. The 11th section of the Act gives a dispensing power to the Local Government Board, or the Secretary of State. That seems to me to be a rational and satisfactory way of dealing with the question. I do not see why we should not recognise the statutory duty of the Local Authority to deal with the matter.

MR. RITCHIE: It seems to me quite obvious that it would be the greatest mistake in the world to insist that in every case the Local Authority should provide dwellings for the working classes. I think such a provision, instead of assisting the work the hon. Gentleman desires to see carried out, would be retarding it. There may be many schemes in which no such provision is necessary, there may be plenty of accommodation in a neighbourhood in which a scheme is carried out, and, therefore, to make it in every case the absolute duty of the Local Authorities to provide fresh accommodation, would, I am afraid, have an unfortunate effect. No scheme can be carried out under this Bill without the sanction of the Local Government Board, and if the confirming authority has power to insist that proper provision is made, all the necessities of the case will be met.

MR. COLLINGS: I quite sympathise with the view of the hon. Member, but, at the same time, I agree with the right hon. Gentleman (Mr. Ritchie). Take the case of Birmingham. We displaced 400 or 500 persons in Birmingham, and we discovered that not more than about 20 desired to be accommodated on the spot. It would have been very hard for the Corporation of Birmingham, under these circumstances, to have been obliged to have provided accommodation for between 400 and 500 persons.

MR. CREMER: I am exceedingly anxious that before any scheme is carried into operation due provision shall be made that the working classes who are displaced should have fresh accommodation provided for them. The absence at the present time of such provision is one of the greatest possible hardships inflicted on the working classes. There was a case in Somers Town, some time ago, in which hundreds of families were displaced by a scheme, and it was a long time before the scheme could be carried into effect in consequence. I believe there is some Act of Parliament which gives the Local Government Board power to compel the provision of accommodation for the working classes who are about to be displaced. I had no idea the Committee would have galloped through this Bill at the rate they have done, and I intended to have moved an Amendment on an earlier clause.

MR. RITCHIE: No doubt there is nothing in the existing Acts of Parliament, nor is there anything in the proposals we make, which compels the Local Government Board to insist on the provision of fresh dwelling places being made before a scheme is carried out, but the Board has full power to do so, and, as a matter of fact, there is nothing more common than for such provision to be made. The usual thing is for the confirming authority to insist upon provision being made prior to the demolition of the buildings. I should deprecate any limitation of the powers of the Local Government Board in this respect.

MR. CREMER: I shall reserve to myself the right to further consider the matter, and, if I think it advisable, to move the introduction of a new clause at a later stage.

Clause read a second time, and added to the Bill.

Some Amendments having been made in the Schedule,

MR. CREMER said: It has been very difficult for me to follow the Committee through the various stages of this complicated Bill. I presume it will come before the Committee again in the re-arranged form in which it is to be presented to the House, and we shall then have further opportunity of considering it.

THE CHAIRMAN: The Bill, when it has once been reported to the House, will not come again before the Committee.

MR. CREMER: I am afraid that our having galloped through the Bill, as we have done to-day, will result in some discussion in the House, such as might otherwise have been avoided. I do not find that the Bill contains any provision which will prevent authorities from erecting artisans' dwellings of a similar design to those which already exist in the Metropolis. Many of these dwellings are totally unfit for habitation. Some time ago, I tried to find out who was responsible for the design of the buildings in Drury Lane. I was told by the Metropolitan Board of Works that the Local Government Board was responsible for it, but the Local Government Board, when I inquired of them, referred me back again to the Board of Works. I should be glad to point out to any Member of the Committee, who cares to accompany me, the way in which air and light have been excluded from these dwellings. I want to prevent a repetition of such huge blunders, and I fail to gather that there is in this Bill any provision that would give any authority power to prevent the perpetration of such blunders in the future.

MR. RITCHIE: I really am not surprised that the hon. Member has found some difficulty in following the various provisions of this Bill in the form in which they have been presented to the Committee, but, at the same time, I think the Committee have thoroughly understood that, looking at the fact that we had first to pass an Amendment Bill and then to consolidate the law, the measure could not have been drafted in a more convenient form. I may point out that the consideration of the Amendment Bill occupied the Committee for two sittings, and that any Gentleman who desired to amend the law with regard to the Dwellings of the Working Classes, was at liberty to endeavour to carry out his views on that Bill. It was understood, however, that the present Bill was merely a piece of machinery incorporating in the existing law the provisions of the Amendment

Bill, and I think the Committee generally came to the conclusion that, under these circumstances, it was not necessary to go much into detail on this Bill. As to the other point raised by the hon. Member, this is not a Bill for dealing with building regulations in any sense of the term, and it would be impossible for us to deal with them in such a measure. I presume that the London County Council have certain powers with regard to buildings, and they have recently obtained more powers on the subject. If further powers are required, they must be obtained by means of some other Bill. Well, Sir, as we have now arrived at the concluding stage of these proceedings, I hope I may be permitted to record my most cordial thanks to the Members of the Committee for the great assistance they have given me, and for the great assistance they have given the Government in the task we have laid upon ourselves. The Debates and the discussions have been entirely free from Party bias, and it has been evident that we have all been actuated with the one desire of making this Bill as good and complete a measure as we could. I must acknowledge, with gratitude, that hon. Members who were, no doubt, desirous of bringing about Amendments of the law of a much more far-reaching character than the rest of us have been willing to adopt, have been content to withhold their Amendments until some future time, in order that a Bill which we all regard as being a most valuable contribution to legislation in regard to the housing of the working classes, may be passed into law during the present Session. I am sure we have all recognised the extreme fairness you (Mr. Osborne Morgan) have shown in presiding over the Committee, and the business-like manner in which you have performed the duties assigned to you.

EARL COMPTON: I feel very strongly that the law may require further Amendment in the direction pointed out by the hon. Member opposite (Mr. Cremer), but I quite agree that it would be impossible when we are amending Torrens's Act, which is practically what we are doing, to give further powers to the London County Council. Having myself taken much interest in this subject, and having, in most of the Amendments I have brought forward, represented the views of the London County Council, I should like to offer my thanks, and the thanks of the Council, to the Government for having introduced this Bill, and for the way in which they have received most of our Amendments. I think we owe a debt of gratitude to the right hon. Gentleman (Mr. Ritchie) for the very kind way in which he has met our views.

MR. COLLINGS: I hope the right hon. Gentleman will re-consider between now and the Report stage. A point upon which it is almost impossible that we should have the law carried out by our Local Authorities, at any rate, in the provinces. I refer to the provision respecting the making up of any deficiency out of the current rates. I would ask the right hon. Gentleman why the deficiency should not be supplied out of the money borrowed under the provisions of the Act?

THE CHAIRMAN: I cannot allow the Committee to separate without thanking the right hon. Gentleman (Mr. Ritchie) for the kind way in which he has spoken of myself. All I can say is, that it has been a very pleasant and easy task to preside over such a good Committee.

Motion made, and Question proposed, "That the Bill, with Amendments, be reported to the House."

Agreed to.

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